

**Suburban congressmen seek balance of rights, protections**

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BYLINE: Eric Krol Daily Herald Political Writer

As Congress gets ready this week to consider granting broad new legal powers in the war on terrorism, suburban lawmakers are warning that some measures will have to be scaled back if they're going to gain approval.

U.S. Attorney General John Ashcroft wants the House and Senate to expand federal law enforcement's ability to eavesdrop, detain immigrants and secure borders. Lawmakers are willing to go along - to a point.

"When it's said and done, we'll probably end up with 90 percent of what the administration wants," said Sen. Dick Durbin, a Springfield Democrat. "The other 10 percent will be negotiated, and we may reach an agreement or we may not." Included in that 10 percent category might be the request for roving wiretap authority. Instead of just getting permission from a judge to tap a phone line, a warrant would be good for any cellular call or e-mail.

U.S. Reps. Don Manzullo, an Egan Republican whose district includes McHenry County, lists the provision as his biggest concern. He wants the provision to be carefully crafted so it doesn't violate Fourth Amendment privacy protections.

But Durbin, House Speaker Dennis Hastert of Yorkville and U.S. Reps. Mark Kirk of Wilmette and Judy Biggert of Hinsdale support the wiretap expansion.

"I think that's an important update reflecting where communications have gone in the past 50 years," said Kirk, a Republican.

An even more contentious issue is a provision to allow unlimited detention of individuals that pose a threat to national security.

At a Senate hearing, Ashcroft said the law only would apply to people subject to deportation hearings, but Durbin said that's not the way it's written.

Manzullo supports the measure.

"If you have a person who's not a citizen with some credible evidence that they're a threat to national security, then that person should be removed from the country," he said.

Biggert said she would back it only if changes were made to spell out that it applies only to

terrorists, pointing out that immigrants already are held for long periods during deportation proceedings.

U.S. Rep. Jan Schakowsky of Evanston said Democratic colleagues have told her progress is being made to limit the detention to seven or eight days.

"Indefinite detention of non-citizens is a serious problem for me. There has to be some time limit on the time people are detained," said Schakowsky, whose district will include Des Plaines after the next election.

The Illinois delegation is divided on another hot-button issue: whether information gathered by foreign spies can be used against American citizens, even if it's gathered by unconstitutional means.

Durbin and Kirk question whether that will pass constitutional muster.

"It raises some questions about how the information can be used and under what circumstances," Durbin said.

But Hastert, Manzullo and Biggert support the concept if it's limited to terrorism.

"I think Americans are committed to the cause, so we might have to make some sacrifices," Biggert said.

The suburban delegation agrees on several other measures the Bush administration is pitching, including tougher penalties on those who harbor terrorists, seizure of assets in terrorist cases and mandatory DNA samples from terrorists upon conviction.

Another area of agreement is that other law enforcement agencies should start sharing information with border patrol agents. It's an idea Hastert has long championed. The issue gained momentum after disclosures that some terrorists involved in the Sept. 11 attack entered the country through a Maine border station despite being on an FBI watch list.

U.S. Sen. Peter Fitzgerald, an Inverness Republican, declined to take a stand on the anti-terrorist issues until he sees the final version. But he did touch on the key struggle members of Congress are having.

"We have to be careful we don't destroy too much in the way of civil liberties," Fitzgerald said.