

February 28, 2024

The Honorable Charles Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Mike Johnson
Speaker
United States House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Johnson, and Minority Leader Jeffries:

We are writing in response to [reports](#) that a reauthorization of Section 702 of the Foreign Intelligence Surveillance Act (FISA) could be included in one of the funding bills that Congress will be considering over the next two weeks. **The undersigned groups strongly oppose including a Section 702 reauthorization in a must-pass funding bill and urge you to categorically reject any such approach.**

Section 702 has been routinely abused in ways that violate Americans' fundamental civil liberties and civil rights. FBI agents have used this surveillance authority, which is supposed to be limited to non-U.S. citizens located outside the United States, to gain warrantless access to the communications of *tens of thousands* of [protesters](#), [racial justice activists](#), [19,000 donors to a congressional campaign](#), [journalists](#), and [members of the U.S. Congress](#). Even after the FBI's recent changes to its internal procedures, the abuses have continued, with agents conducting warrantless searches for the communications of a [U.S. senator](#), a [state senator](#), and a [state court judge](#) who contacted the FBI to report civil rights violations by a local police chief. NSA agents, for their part, have abused the authority to search for the communications of [online dating prospects](#) and [potential tenants](#).

In its current form, this authority is dangerous to our liberties and our democracy, and it should not be renewed for any length of time without robust debate, an opportunity for amendment, and — ultimately — far-reaching reforms. **Bypassing this process by slipping an extension of the law into a must-pass funding bill would demonstrate a blatant disregard for the civil liberties and civil rights of the American people.**

There is absolutely no justification for such a move. Section 702 is not scheduled to expire until April 19. That gives Congress ample time to consider and vote on stand-alone legislation. There are multiple Section 702 reauthorization bills pending in both chambers. Indeed, pursuant to an agreement between members of the House Judiciary and Intelligence Committees, the House was poised to vote on a reauthorization bill and several amendments earlier this month. The vote was abruptly cancelled after Intelligence Committee members reneged on the deal, [reportedly](#) to prevent members from voting on amendments that would have strengthened privacy protections for Americans.

Against this backdrop, it is clear that the only reason for including Section 702 in the continuing resolution would be to deny members a vote on critically-needed reforms. We urge you not to betray the trust of the American people by following such a course of action.

Sincerely,

AAPI Equity Alliance
AAPI Victory Alliance
Access Now
Action Against Hate
Advocacy for Principled Action in Government
American Civil Liberties Union
American-Arab Discrimination Committee (ADC)
Americans for Prosperity
APA Justice
API Equality-LA
ASATA - Alliance of South Asians Taking Action
Asian American Academy of Science and Engineering (AAASE)
Asian American Federal Employees for Nondiscrimination
Asian American for Civil Rights and Equality
Asian American Legal Defense and Education Fund (AALDEF)
Asian American Scholar Forum
Asian Americans Advancing Justice - Asian Law Caucus
Asian Americans Advancing Justice - Atlanta
Asian Americans Advancing Justice | AAJC
Asian Americans Advancing Justice Southern California
Asian Americans Leadership Council
Asian Law Alliance
Asian Pacific Partners for Empowerment, Advocacy and Leadership (APPEAL)
Asian Student Alliance
Asian Texans for Justice
Association of Chinese Americans
Aurora Commons
Brennan Center for Justice at NYU School of Law
Center for Democracy & Technology
Center for Global Muslim Life
Center for Leadership Equity and Research (CLEAR)
Center on Race, Inequality, & the Law at NYU School of Law
Chinese American Citizens Alliance Portland Lodge
Chinese Culture Center of San Francisco
Chinese for Affirmative Action (CAA)
Coalition of AAPI Churches Los Angeles
Color Of Change
Common Cause

Communities United for Status & Protection (CUSP)
Council on American-Islamic Relations (CAIR)
Council on American-Islamic Relations, California
Defending Rights & Dissent
Demand Progress
Due Process Institute
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Empowering Marginalized Asian Communities
Ethnic Media Services
Fight for the Future
Free Press Action
Freedom of the Press Foundation
FreedomWorks
Government Information Watch
Grassroots Asians Rising
Hmong Innovating Politics
Mozilla Foundation
Muslim Advocates
Muslim Counterpublics Lab
Muslim Justice League
Muslims for Just Futures
National Asian Pacific American Families Against Substance Abuse (NAPAFASA)
National Asian Pacific American Women's Forum
National Association of Criminal Defense Lawyers
National Council of Asian Pacific Americans (NCAPA)
National Korean American Service & Education Consortium (NAKASEC)
National Pacific Islander Education Network
New America's Open Technology Institute
OCA - Asian Pacific American Advocates
OCA Asian Pacific Advocates - San Diego
OCA Asian Pacific Advocates of Greater Seattle
OCA Asian Pacific American Advocates—Pittsburgh Chapter
OCA Columbus
OCA Greater Chicago
OCA Greater Cleveland - Asian Pacific American Advocates
OCA Silicon Valley
OCA-Central Virginia Chapter
OCA-Greater Houston Chapter
Organization for Identity and Cultural Development (OICD.net)
Pacific Asian Counseling Services
PEN America
Project for Privacy and Surveillance Accountability
Project South
Restore The Fourth
S.T.O.P. - The Surveillance Technology Oversight Project
Sikh Coalition

South Asian American Policy and Research Institute (SAAPRI)
South Asian Network
South Asian Public Health Association
Stop AAPI Hate
Thai Community Development Center (Thai CDC)
Tulane Association of Chinese Professionals
United We Dream
Vietlead
Vincent Chin Institute
Woori Juntos
X-Lab