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SEP 07 2017

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, DC 20515

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

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles E. Schumer
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker Ryan and Leaders McConnell, Pelosi and Schumer:

We are writing to urge that the Congress promptly reauthorize, in clean and permanent form, Title VII of the Foreign Intelligence Surveillance Act (FISA), enacted by the FISA Amendments Act of 2008 (FAA), which is set to sunset at the end of this year.

Title VII of FISA allows the Intelligence Community, under a robust regime of oversight by all three branches of Government, to collect vital information about international terrorists, cyber actors, individuals and entities engaged in the proliferation of weapons of mass destruction and other important foreign intelligence targets located outside the United States. Reauthorizing this critical authority is the top legislative priority of the Department of Justice and the Intelligence Community. As publicly reported by the Privacy and Civil Liberties Oversight Board, information collected under one particular section of FAA, Section 702, produces significant foreign intelligence that is vital to protect the nation against international terrorism and other threats.

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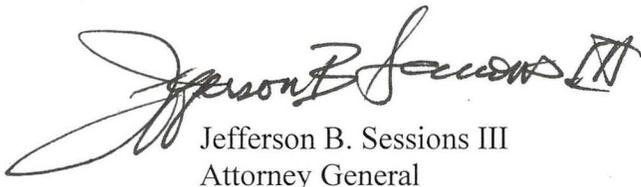
The Honorable Paul Ryan
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Section 702 permits the Attorney General and the Director of National Intelligence, under procedures approved by the Foreign Intelligence Surveillance Court, to authorize the acquisition of foreign intelligence information by targeting non-U.S. persons located outside the United States when such persons possess or are likely to communicate foreign intelligence information. At the same time, Section 702 provides a comprehensive regime of oversight by all three branches of Government to protect the privacy and civil liberties of U.S. persons. Section 702 may not be used to intentionally target a U.S. person located anywhere in the world, nor may the law be used to intentionally target any person, regardless of nationality, who is known to be located in the United States. The law requires the Intelligence Community to follow court-approved targeting and minimization procedures designed to ensure compliance with the law's targeting restrictions and the requirements of the Fourth Amendment. The procedures are designed to protect the privacy of U.S. persons whose nonpublic information may be incidentally acquired.

The Department of Justice and the Office of the Director of National Intelligence conduct extensive oversight reviews of Section 702 activities and Title VII requires us to report to Congress on implementation and compliance twice a year. In addition, as demonstrated in numerous declassified court opinions and other materials, the Foreign Intelligence Surveillance Court exercises rigorous independent oversight of activities conducted pursuant to Section 702 to ensure that incidents of non-compliance are addressed through appropriate remedial action.

As you are aware, we have conducted briefings outlining the utility and implementation of Section 702 for both Members and staff this year, and will continue to do so over the course of the next few months. We look forward to working with you to ensure the speedy enactment of legislation reauthorizing Title VII, without amendment beyond removing the sunset provision, to avoid any interruption in our use of these authorities to protect the American people.

Sincerely,



Jefferson B. Sessions III
Attorney General



Daniel R. Coats
Director of National Intelligence

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The Honorable Paul Ryan
The Honorable Mitch McConnell
The Honorable Nancy Pelosi
The Honorable Charles E. Schumer

cc:

The Honorable Devin Nunes, Chairman, Permanent Select Committee on Intelligence
The Honorable Adam B. Schiff, Ranking Member, Permanent Select Committee on Intelligence
The Honorable Richard Burr, Chairman, Select Committee on Intelligence
The Honorable Mark Warner, Vice Chairman, Select Committee on Intelligence
The Honorable Bob Goodlatte, Chairman, Judiciary Committee
The Honorable John Conyers, Jr., Ranking Member, Judiciary Committee
The Honorable Chuck Grassley, Chairman, Committee on the Judiciary
The Honorable Dianne Feinstein, Ranking Member, Committee on the Judiciary