

October 4, 2007

Speaker Nancy Pelosi
U.S. House of Representatives
Washington, DC 20510

Dear Speaker Pelosi:

We, the undersigned privacy, civil liberties, government openness and faith-based organizations, write to ask you to insist on public debate on any proposed legislation to alter the Foreign Intelligence Surveillance Act (FISA). We understand that the majority seeks to pass legislation in less than two weeks and hope that Members and staff will have the opportunity to hear from experts, academics and advocates on the full implications of rewriting FISA. We are gravely concerned that the first markup is scheduled for a week from now and there has still been no public draft of your bill.

We appreciate the hearings that the House Judiciary and Intelligence Committees have held over the last several weeks to discuss fundamental problems with the "Protect America Act" (PAA). However, a public vetting is needed to discuss specific language before Members can make meaningful decisions about how best to fix the many shortcomings of the PAA. Indeed, upon reflection, Members now say that the PAA is even broader than they ever understood the legislation to be.

We are now faced with a law that allows massive untargeted collection of communications into and out of the United States, without court review, and without any limit on how those communications can be distributed or used. This new legislation has serious Fourth Amendment implications and eviscerates the longstanding protections for Americans in FISA. There is substantial work to be done to put this law back in line with the Constitution and our values, work that should not be done in secret or behind closed doors.

We believe Congress cannot fulfill its constitutional responsibilities by voting on legislation making the PAA permanent, extending the law's sunset or giving immunity for past warrantless surveillance of Americans, without a public discussion about these very controversial proposals. The rights and civil liberties of Americans are too important to proceed without one.

Thank you for considering our views.

Sincerely,
American Civil Liberties Union
American Policy Center
American-Arab Anti-Discrimination Committee
ADC Michigan
Asian Law Caucus (CA)
Association of Research Libraries

Bill of Rights Defense Committee
Citizen Outreach Project
Council on American-Islamic Relations
Cyber Privacy Project
Defending Dissent Foundation
DownsizeDC.org
Electronic Frontier Foundation
EnviroJustice
Essential Information
Fairfax County Privacy Council
Federation of American Scientists
Friends Committee on National Legislation
Government Accountability Project
Japanese American Citizens League
Justice Through Music
League of Women Voters of the United States
Liberty Coalition
National Association of Criminal Defense Lawyers
National Immigrant Solidarity Network
Northwest Federation of Community Organizations
OMB Watch
OpenTheGovernment.org
Pain Relief Network
Pakistani American Public Affairs Committee
Patriots to Restore Checks and Balances
People For the American Way
PrivacyActivism
Republican Liberty Caucus
Rutherford Institute
Special Libraries Association
The James Madison Project
U.S. Bill of Rights Foundation
Velvet Revolution

cc: Chairman Conyers, Chairman Reyes