

# [***House Republicans confront fight over FISA reauthorization***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BRY-S1T1-DY7V-G00H-00000-00&context=1516831)

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**Body**

(CNN) &#8212; House lawmakers are returning to Washington to a contentious issue this week - an effort to reauthorize Section 702 of the Foreign Intelligence Surveillance Act, a major and controversial law that allows [*warrantless surveillance*](https://www.cnn.com/2023/06/13/politics/fbi-surveillance-program-congress/index.html) of foreigners but also sweeps up the communications of American citizens.

House Republicans have been fiercely divided over how to handle the issue, putting pressure on [*Speaker Mike Johnson*](https://www.cnn.com/2024/04/07/politics/congress-johnson-speakership-threat-greene/index.html) to find a path forward amid competing factions within his conference. With the threat of a vote on his ouster looming, the Louisiana Republican's every move will be under even more intense scrutiny, and the speaker may find himself once again at odds with his right flank.

The law as it stands allows the US intelligence community to collect the communications records of foreign persons based overseas, but it also allows the FBI to search the data it collects for Americans' information in what critics have called a "backdoor" search.

The complicated ***politics*** surrounding the law have long united strange bedfellows: Some conservative Republicans have joined forces with progressive Democrats to push for reforms to the authority, while security-focused Democrats and Republicans have opposed major new restrictions.

The major sticking point is whether the FBI should be required to obtain a warrant before querying the database for information on US citizens.

Johnson has announced the House will take up a FISA reauthorization bill this week. The bill, introduced by GOP Rep. Laurel Lee of Florida and titled the Reforming Intelligence and Securing America Act, would reauthorize Section 702 of FISA for five years and aims to impose a series of reforms.

On Tuesday, the House Rules Committee will begin the process of considering the legislation. A set of amendments is also expected to come up for a vote, including one that would add an additional warrant requirement.

But if that amendment passes, it could imperil the bill's chances of getting through the Senate. Some Republicans - and the Biden administration - say such reforms would gut the effectiveness of what national security officials argue is one of the most vital tools they have for combating threats against the United States.

The Biden administration since 2022 has been publicly and privately lobbying Congress on the importance of Section 702 and pushing for as few changes as possible - including actively lobbying against any kind of a warrant requirement.

Three sources familiar with internal discussions about the program said that while supporters of the program are confident it will be reauthorized, intelligence officials are deeply concerned that it may be renewed only with a warrant requirement -thereby making it impossible for the Justice Department to use Section 702 to disrupt true, urgent threats, these people said.

Authority for Section 702 was[*extended*](https://www.cnn.com/2024/04/07/politics/congress-johnson-speakership-threat-greene/index.html) through April 19 as part of the National Defense Authorization Act.

In a sign of how challenging the issue has proved for House Republicans to navigate, leadership pulled [*a pair of surveillance law bills from the floor*](https://www.cnn.com/2023/12/11/politics/house-gop-leadership-pulls-dueling-fisa-bills/index.html) in December amid internal GOP divisions. In February, a spokesperson for the speaker [*said*](https://x.com/RajShahDC/status/1757866756641554460?s=20) the House would consider FISA reform "at a later date" to allow for more time to reach consensus on a path forward.

The searches of US persons' information are governed by a set of internal rules and procedures designed to protect Americans' privacy and civil liberties, but critics say that loopholes allow the FBI to search the data it collects for Americans' information - as opposed to from foreign adversaries - without proper justification.

And a series of public revelations about compliance issues within the FBI have contributed to a bipartisan sense on Capitol Hill that the authority has been too easily misused.

At the same time, the authority has also become a high-profile political target of conservative Republicans after it became known that a different section of the Foreign Intelligence Surveillance Act was [*inappropriately used*](https://www.cnn.com/2019/12/18/politics/horowitz-hearing-russia-report-carter-page/index.html) to surveil Trump 2016 campaign aide Carter Page.

Although privacy and civil liberties advocates have long fought for reforms, Congress has up until now kept the authority untouched in the face of fierce insistence from multiple administrations that it is an irreplaceable tool that allows them to preempt terrorism plots, quickly assist the victims of ransomware attacks and more.

For intelligence officials, there is concern that this time might be different. And the scrambled, polarized ***politics*** around the legislation have left Johnson walking a tightrope.

"FISA and Section 702 have been essential to intercepting communications of dangerous foreign actors overseas, understanding the threats against our country, countering our adversaries, and saving countless American lives," Johnson said in a letter to colleagues on Friday. "Our responsibility now is simple: maintain the tool but strictly prohibit future abuses."

The speaker went on to say that the bill the House is expected to take up includes reforms "that will establish new procedures to rein in the FBI, increase accountability at the Foreign Intelligence Surveillance Court (FISC), impose penalties for wrongdoing, and institute unprecedented transparency across the FISA process so we no longer have to wait years to uncover potential abuses."

CNN's Haley Talbot contributed to this report.

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