

APRIL 16, 2026

RULES COMMITTEE PRINT 119–25

Text of amendment to H.R. 8035

Strike all after the enacting clause and insert the following:

1 **SECTION 1. EXTENSION OF AUTHORITIES OF TITLE VII OF**
2 **THE FOREIGN INTELLIGENCE SURVEIL-**
3 **LANCE ACT OF 1978.**

4 (a) EXTENSION OF REPEAL DATE OF TITLE VII.—
5 Section 403(b) of the FISA Amendments Act of 2008
6 (Public Law 110–261) is amended—

7 (1) in paragraph (1) (50 U.S.C. 1881 note), by
8 striking “effective two years after” and all that fol-
9 lows through the period at the end and inserting
10 “effective April 20, 2031, title VII of the Foreign
11 Intelligence Surveillance Act of 1978 (50 U.S.C.
12 1881 et seq.) is repealed.”; and

13 (2) in paragraph (2) (18 U.S.C. 2511 note), in
14 the matter preceding subparagraph (A), by striking
15 “Effective two years after the date of enactment of
16 the Reforming Intelligence and Securing America
17 Act—” and inserting “Effective April 20, 2031—”.

1 (b) EXTENSION OF TRANSITION PROCEDURES.—Sec-
2 tion 404(b) of the FISA Amendments Act of 2008 (Public
3 Law 110–261) is amended—

4 (1) in paragraph (1)—

5 (A) in the heading, by striking “TWO
6 YEARS AFTER THE DATE OF ENACTMENT OF
7 THE REFORMING INTELLIGENCE AND SECURING
8 AMERICA ACT” and inserting “REPEAL DATE”;
9 and

10 (B) by striking “, as amended by section
11 101(a) and by the FISA Amendments Reau-
12 thorization Act of 2017 and the Reforming In-
13 telligence and Securing America Act,” and in-
14 serting “(50 U.S.C. 1881 et seq.)”; and

15 (2) in paragraph (2), by striking “, as amended
16 by section 101(a) and by the FISA Amendments Re-
17 authorization Act of 2017 and the Reforming Intel-
18 ligence and Securing America Act,” and inserting
19 “(50 U.S.C. 1881 et seq.)”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on the earlier of the date of
22 the enactment of this Act or April 19, 2026.

1 **SEC. 2. WARRANT REQUIREMENT FOR TARGETING FOR AC-**
2 **QUISITION COMMUNICATIONS OF UNITED**
3 **STATES PERSONS.**

4 (a) REQUIREMENT.—Paragraph (1) of subsection (n)
5 of section 702 of the Foreign Intelligence Surveillance Act
6 of 1978 (50 U.S.C. 1881a) is amended to read as follows:

7 “(1) RESTRICTION.—The Federal Bureau of
8 Investigation may not ingest unminimized informa-
9 tion acquired under this section into its analytic re-
10 positories unless the targeted person is relevant to
11 an existing, open, predicated full national security
12 investigation by the Federal Bureau of Investigation.
13 If the subject of such predicated, full national secu-
14 rity investigation is a United States person, for pur-
15 poses of this paragraph, the investigation must be
16 supported by probable cause.”.

17 (b) REQUIREMENT.—Section 702 of such Act is fur-
18 ther amended by adding at the end the following new sub-
19 section:

20 “(o) WARRANT REQUIREMENT FOR CERTAIN TAR-
21 GETING.—

22 “(1) PROHIBITION.—Pursuant to subsection
23 (b), no officer or employee of the United States Gov-
24 ernment may intentionally target for acquisition the
25 communications of a United States person pursuant
26 to an authorization issued under subsection (a).

1 Pursuant to other provisions of this Act and the
2 Federal Rules of Criminal Procedure, the Govern-
3 ment may seek a warrant or other appropriate order
4 supported by a probable cause showing to target for
5 collection the communications of a United States
6 person if there exists probable cause that the United
7 States person to whom such communications re-
8 late—

9 “(A) is a foreign power or an agent of for-
10 eign power, in which circumstances the Govern-
11 ment may seek authorization for electronic sur-
12 veillance in accordance with title I, a physical
13 search in accordance with title III, or for acqui-
14 sitions in accordance with section 703, 704, or
15 705; or

16 “(B) is committing or has committed a
17 crime, in which circumstances the Government
18 may seek a warrant issued pursuant to the
19 Federal Rules of Criminal Procedure by a court
20 of competent jurisdiction.

21 “(2) PROCEDURES AND STANDARDS.—The At-
22 torney General and the Director of National Intel-
23 ligence shall jointly establish procedures and stand-
24 ards for officers and employees of the United States

1 Government to determine the existence of probable
2 cause described in paragraph (1).

3 “(3) SAVINGS PROVISION.—Nothing in this sub-
4 section shall be construed to limit the authority of
5 the Government under any applicable laws or the
6 Constitution of the United States.”.

7 (c) USE OF INFORMATION.—Paragraph (2) of section
8 706(a) of such Act (50 U.S.C. 1881e(a)) is amended to
9 read as follows:

10 “(2) UNITED STATES PERSONS.—Any informa-
11 tion concerning a United States person acquired
12 under section 702 may not be used in evidence
13 against that United States person pursuant to para-
14 graph (1) in any criminal proceeding if such infor-
15 mation was acquired in violation of subsection (o) of
16 such section.”.

17 **SEC. 3. ADDITIONAL CRIMINAL PENALTIES.**

18 Section 709 of the Foreign Intelligence Surveillance
19 Act of 1978 (50 U.S.C. 1881h) is amended to read as
20 follows (and conform the table of contents at the begin-
21 ning of such Act accordingly):

22 **“SEC. 709. PENALTIES FOR UNAUTHORIZED DISCLOSURE**
23 **AND OTHER ACTIONS.**

24 “(a) OFFENSES.—

1 “(1) UNAUTHORIZED DISCLOSURE OR RETEN-
2 TION.—A person is guilty of an offense under this
3 paragraph if that person knowingly and willfully—

4 “(A) communicates, furnishes, transmits,
5 or otherwise makes available to an unauthorized
6 person, or publishes, or uses in any manner
7 prejudicial to the safety or interest of the
8 United States or for the benefit of any foreign
9 government to the detriment of the United
10 States any classified information that contains
11 the contents of any communication acquired
12 under this title to which a known United States
13 person is a party; or

14 “(B) retains with specific intent to violate,
15 without authorization, including by approved
16 procedures, any classified information that con-
17 tains the contents of any communication ac-
18 quired under this title to which a known United
19 States person is a party.

20 “(2) UNAUTHORIZED QUERY.—A person is
21 guilty of an offense under this paragraph if that per-
22 son, while serving as an officer or employee of a de-
23 partment or agency of the United States, with spe-
24 cific intent to violate this paragraph, willfully con-
25 ducts a United States person query of information

1 acquired under section 702(a), knowing that the
2 query does not support a duly authorized purpose
3 within the scope of the authority of such department
4 or agency.

5 “(3) FALSIFIES OR MISREPRESENTS COMPLI-
6 ANCE.—A person is guilty of an offense under this
7 paragraph if that person knowingly and willfully,
8 with specific intent to violate this paragraph, fal-
9 sifies a record, or makes a material misrepresenta-
10 tion to the Foreign Intelligence Surveillance Court
11 or the Foreign Intelligence Surveillance Court of Re-
12 view, regarding compliance with the procedures or
13 requirements for querying information acquired
14 under section 702(a).

15 “(b) PENALTIES.—

16 “(1) UNAUTHORIZED DISCLOSURE OR RETEN-
17 TION.—A person guilty of an offense in subsection
18 (a)(1) shall be fined under title 18, United States
19 Code, imprisoned for not more than 8 years, or both.

20 “(2) UNAUTHORIZED QUERY.—A person guilty
21 of an offense in subsection (a)(2) shall be fined
22 under title 18, United States Code, imprisoned for
23 not more than 2 years, or both.

24 “(3) FALSIFIES OR MISREPRESENTS COMPLI-
25 ANCE.—A person guilty of an offense in subsection

1 (a)(3) shall be fined under title 18, United States
2 Code, imprisoned for not more than 2 years, or both.

3 “(c) DEFENSES.—

4 “(1) UNAUTHORIZED QUERY.—It is a defense
5 to a prosecution under subsection (a)(2) that—

6 “(A) the defendant conducted the query in
7 the course of the official duties of the person
8 and such query was authorized by a supervisor,
9 attorney, or member of the Senior Executive
10 Service (or equivalent); or

11 “(B) such query was conducted pursuant
12 to a duly authorized purpose.

13 “(2) MISREPRESENTS COMPLIANCE.—It is a de-
14 fense to a prosecution under subsection (a)(3) that
15 the defendant made the misrepresentation in the
16 course of the official duties of the person and such
17 misrepresentation was authorized by a supervisor,
18 attorney, or member of the Senior Executive Service
19 (or equivalent), or that the defendant made the mis-
20 representation acting based on a good faith under-
21 standing of the authorities, in compliance with ap-
22 proved procedures, and the facts known to the indi-
23 vidual at the time.

24 “(d) JURISDICTION.—There is Federal jurisdiction
25 over an offense under this section if the person committing

1 the offense was an officer or employee of the United States
2 at the time the offense was committed.”.

3 **SEC. 4. ATTENDANCE PROCEDURES FOR MEMBER ACCESS**
4 **TO THE FOREIGN INTELLIGENCE SURVEIL-**
5 **LANCE COURT AND FOREIGN INTELLIGENCE**
6 **SURVEILLANCE COURT OF REVIEW.**

7 Not later than 60 days after the date of the enact-
8 ment of this Act, the Attorney General shall—

9 (1) revoke the procedures issued by the Attor-
10 ney General on or before December 31, 2025, pursu-
11 ant to section 5(d) of the Reforming Intelligence and
12 Securing America Act (Public Law 118–49; 50
13 U.S.C. 1803 note); and

14 (2) issue new procedures that comply with such
15 section and ensure the access of the Members of
16 Congress and staff specified in such section to any
17 proceeding of the Foreign Intelligence Surveillance
18 Court or any proceeding of the Foreign Intelligence
19 Surveillance Court of Review.

20 **SEC. 5. REQUIREMENT FOR ATTORNEY APPROVAL OF FBI**
21 **QUERIES USING UNITED STATES PERSON**
22 **QUERY TERM.**

23 Section 702(f)(3)(A)(i) of the Foreign Intelligence
24 Surveillance Act of 1978 (50 U.S.C. 1881a(f)(3)(A)(i)) is

1 amended by striking “supervisor (or employee of equiva-
2 lent or greater rank) or”.

3 **SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE AUDIT OF**
4 **TARGETING PROCEDURES UNDER SECTION**
5 **702 OF THE FOREIGN INTELLIGENCE SUR-**
6 **VEILLANCE ACT OF 1978.**

7 (a) **AUDIT.**—The Comptroller General of the United
8 States, consistent with the protection of sensitive sources
9 and methods, shall conduct an audit of the targeting pro-
10 cedures used for acquisitions under section 702 of the
11 Foreign Intelligence Surveillance Act of 1978 (50 U.S.C.
12 1881a), including the technical mechanisms, implementa-
13 tion, and operations used by the Federal Government for
14 targeting capabilities.

15 (b) **REPORT.**—Not later than one year after the date
16 of the enactment of this Act, the Comptroller General shall
17 submit to the Permanent Select Committee on Intelligence
18 and the Committee on the Judiciary of the House of Rep-
19 resentatives and the Select Committee on Intelligence and
20 the Committee on the Judiciary of the Senate a report
21 containing the results of the audit required by subsection
22 (a), including an analysis of whether the targeting proce-
23 dures as implemented are appropriately limiting targeting
24 under section 702 of the Foreign Intelligence Surveillance

1 Act of 1978 (50 U.S.C. 1881a) to non-United States per-
2 sons located outside of the United States.

3 **SEC. 7. AUTHENTICATION OF FBI QUERIES.**

4 Section 702 of the Foreign Intelligence Surveillance
5 Act of 1978 (50 U.S.C. 1881a) is amended in subsection
6 (f)(3)(D)—

7 (1) by redesignating clauses (iv) through (vi) as
8 clauses (v) through (vii), respectively;

9 (2) by inserting after clause (iii) the following
10 new clause:

11 “(iv) AUTHENTICATION.—A require-
12 ment that, for each query by the Federal
13 Bureau of Investigation using a United
14 States person query term, personnel of the
15 Federal Bureau of Investigation provide
16 the written statement described in clause
17 (iii) to the Civil Liberties Protection Offi-
18 cer within the Office of the Director of Na-
19 tional Intelligence and such Officer reviews
20 the written statement, except in a case in
21 which—

22 “(I) such person is the subject of
23 an order or emergency authorization
24 authorizing electronic surveillance
25 under section 105 or a physical search

1 under section 304, or a warrant
2 issued pursuant to the Federal Rules
3 of Criminal Procedure by a court of
4 competent jurisdiction authorizing the
5 conduct of the query;

6 “(II) the officer or employee con-
7 ducting the query has a reasonable
8 belief that—

9 “(aa) an emergency exists
10 involving an imminent threat of
11 death or serious bodily harm; and

12 “(bb) conducting the query
13 could assist in mitigating or
14 eliminating a threat to life or se-
15 rious bodily harm;

16 “(III) such person or, if such
17 person is incapable of providing con-
18 sent, a third party legally authorized
19 to consent on behalf of such person,
20 has provided consent to the query on
21 a case-by-case basis; or

22 “(IV) with respect to a cyberse-
23 curity threat—

1 “(aa) the query uses a cy-
2 bersecurity threat signature as a
3 query term;

4 “(bb) the query is con-
5 ducted, and the results of the
6 query are used, for the sole pur-
7 pose of identifying targeted re-
8 cipients of malicious software
9 and preventing or mitigating
10 harm from such malicious soft-
11 ware or other cyber attacks; and

12 “(cc) no additional contents
13 of communications retrieved as a
14 result of the query are accessed
15 or reviewed.”;

16 (3) in clause (vi), as so redesignated, by strik-
17 ing “(iv)” and inserting “(v)”;

18 (4) by conforming the margin of clause (vii), as
19 so redesignated, to the margin of the other clauses.

