

119TH CONGRESS
2D SESSION

H. R. 8512

To amend the FISA Amendments Act of 2008 to extend the authorities of title VII of the Foreign Intelligence Surveillance Act of 1978 through April 20, 2029, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2026

Mr. HIGGINS of Louisiana introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the FISA Amendments Act of 2008 to extend the authorities of title VII of the Foreign Intelligence Surveillance Act of 1978 through April 20, 2029, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

6 (a) EXTENSION OF REPEAL DATE OF TITLE VII.—
7 Section 403(b) of the FISA Amendments Act of 2008

1 (Public Law 110–261), as most recently amended by Pub-
2 lic Law 119–84, is further amended—

3 (1) in paragraph (1) (50 U.S.C. 1881 note) by
4 striking “April 30, 2026” and inserting “April 20,
5 2029”; and

6 (2) in paragraph (2) (18 U.S.C. 2511 note), in
7 the matter preceding subparagraph (A), by striking
8 “April 30, 2026” and inserting “April 20, 2029”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect on the earlier of the date of
11 the enactment of this Act or April 29, 2026.

12 **SEC. 2. WARRANT REQUIREMENT FOR TARGETING FOR AC-**
13 **QUISITION COMMUNICATIONS OF UNITED**
14 **STATES PERSONS.**

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

18 “(1) RESTRICTION.—The Federal Bureau of
19 Investigation may not ingest unminimized informa-
20 tion acquired under this section into its analytic re-
21 positories unless the targeted person is relevant to
22 an existing, open, predicated full national security
23 investigation by the Federal Bureau of Investigation.
24 If the subject of such predicated, full national secu-
25 rity investigation is a United States person, for pur-

1 poses of this paragraph, the investigation must be
2 supported by probable cause.”.

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

6 “(o) WARRANT REQUIREMENT FOR CERTAIN TAR-
7 GETING.—

8 “(1) PROHIBITION.—Pursuant to subsection
9 (b), no officer or employee of the United States Gov-
10 ernment may intentionally target for acquisition the
11 communications of a United States person pursuant
12 to an authorization issued under subsection (a).
13 Pursuant to other provisions of this Act and the
14 Federal Rules of Criminal Procedure, the Govern-
15 ment may seek a warrant or other appropriate order
16 supported by a probable cause showing to target for
17 collection the communications of a United States
18 person if there exists probable cause that the United
19 States person to whom such communications re-
20 late—

21 “(A) is a foreign power or an agent of for-
22 eign power, in which circumstances the Govern-
23 ment may seek authorization for electronic sur-
24 veillance in accordance with title I, a physical
25 search in accordance with title III, or for acqui-

1 sitions in accordance with section 703, 704, or
2 705; or

3 “(B) is committing or has committed a
4 crime, in which circumstances the Government
5 may seek a warrant issued pursuant to the
6 Federal Rules of Criminal Procedure by a court
7 of competent jurisdiction.

8 “(2) PROCEDURES AND STANDARDS.—The At-
9 torney General and the Director of National Intel-
10 ligence shall jointly establish procedures and stand-
11 ards for officers and employees of the United States
12 Government to determine the existence of probable
13 cause described in paragraph (1).

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

18 (c) USE OF INFORMATION.—Paragraph (2) of section
19 706(a) of such Act (50 U.S.C. 1881e(a)) is amended to
20 read as follows:

21 “(2) UNITED STATES PERSONS.—Any informa-
22 tion concerning a United States person acquired
23 under section 702 may not be used in evidence
24 against that United States person pursuant to para-
25 graph (1) in any criminal proceeding if such infor-

1 mation was acquired in violation of subsection (o) of
2 such section.”.

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

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

8 **“SEC. 709. PENALTIES FOR UNAUTHORIZED DISCLOSURE**
9 **AND OTHER ACTIONS.**

10 “(a) OFFENSES.—

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

14 “(A) communicates, furnishes, transmits,
15 or otherwise makes available to an unauthorized
16 person, or publishes, or uses in any manner
17 prejudicial to the safety or interest of the
18 United States or for the benefit of any foreign
19 government to the detriment of the United
20 States any classified information that contains
21 the contents of any communication acquired
22 under this title to which a known United States
23 person is a party; or

24 “(B) retains with specific intent to violate,
25 without authorization, including by approved

1 procedures, any classified information that con-
2 tains the contents of any communication ac-
3 quired under this title to which a known United
4 States person is a party.

5 “(2) UNAUTHORIZED QUERY.—A person is
6 guilty of an offense under this paragraph if that per-
7 son, while serving as an officer or employee of a de-
8 partment or agency of the United States, with spe-
9 cific intent to violate this paragraph, willfully con-
10 ducts a United States person query of information
11 acquired under section 702(a), knowing that the
12 query does not support a duly authorized purpose
13 within the scope of the authority of such department
14 or agency.

15 “(3) FALSIFIES OR MISREPRESENTS COMPLI-
16 ANCE.—A person is guilty of an offense under this
17 paragraph if that person knowingly and willfully,
18 with specific intent to violate this paragraph, fal-
19 sifies a record, or makes a material misrepresenta-
20 tion to the Foreign Intelligence Surveillance Court
21 or the Foreign Intelligence Surveillance Court of Re-
22 view, regarding compliance with the procedures or
23 requirements for querying information acquired
24 under section 702(a).

25 “(b) PENALTIES.—

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

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

9 “(3) FALSIFIES OR MISREPRESENTS COMPLI-
10 ANCE.—A person guilty of an offense in subsection
11 (a)(3) shall be fined under title 18, United States
12 Code, imprisoned for not more than 2 years, or both.

13 “(c) DEFENSES.—

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

16 “(A) the defendant conducted the query in
17 the course of the official duties of the person
18 and such query was authorized by a supervisor,
19 attorney, or member of the Senior Executive
20 Service (or equivalent); or

21 “(B) such query was conducted pursuant
22 to a duly authorized purpose.

23 “(2) MISREPRESENTS COMPLIANCE.—It is a de-
24 fense to a prosecution under subsection (a)(3) that
25 the defendant made the misrepresentation in the

1 course of the official duties of the person and such
2 misrepresentation was authorized by a supervisor,
3 attorney, or member of the Senior Executive Service
4 (or equivalent), or that the defendant made the mis-
5 representation acting based on a good faith under-
6 standing of the authorities, in compliance with ap-
7 proved procedures, and the facts known to the indi-
8 vidual at the time.

9 “(d) JURISDICTION.—There is Federal jurisdiction
10 over an offense under this section if the person committing
11 the offense was an officer or employee of the United States
12 at the time the offense was committed.”.

13 **SEC. 4. ATTENDANCE PROCEDURES FOR MEMBER ACCESS**
14 **TO THE FOREIGN INTELLIGENCE SURVEIL-**
15 **LANCE COURT AND FOREIGN INTELLIGENCE**
16 **SURVEILLANCE COURT OF REVIEW.**

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

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

24 (2) issue new procedures that comply with such
25 section and ensure the access of the Members of

1 Congress and staff specified in such section to any
2 proceeding of the Foreign Intelligence Surveillance
3 Court or any proceeding of the Foreign Intelligence
4 Surveillance Court of Review.

5 **SEC. 5. REQUIREMENT FOR ATTORNEY APPROVAL OF FBI**
6 **QUERIES USING UNITED STATES PERSON**
7 **QUERY TERM.**

8 Section 702(f)(3)(A)(i) of the Foreign Intelligence
9 Surveillance Act of 1978 (50 U.S.C. 1881a(f)(3)(A)(i)) is
10 amended by striking “supervisor (or employee of equiva-
11 lent or greater rank) or”.

12 **SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE AUDIT OF**
13 **TARGETING PROCEDURES UNDER SECTION**
14 **702 OF THE FOREIGN INTELLIGENCE SUR-**
15 **VEILLANCE ACT OF 1978.**

16 (a) AUDIT.—The Comptroller General of the United
17 States, consistent with the protection of sensitive sources
18 and methods, shall conduct an audit of the targeting pro-
19 cedures used for acquisitions under section 702 of the
20 Foreign Intelligence Surveillance Act of 1978 (50 U.S.C.
21 1881a), including the technical mechanisms, implementa-
22 tion, and operations used by the Federal Government for
23 targeting capabilities.

24 (b) REPORT.—Not later than one year after the date
25 of the enactment of this Act, the Comptroller General shall

1 submit to the Permanent Select Committee on Intelligence
2 and the Committee on the Judiciary of the House of Rep-
3 resentatives and the Select Committee on Intelligence and
4 the Committee on the Judiciary of the Senate a report
5 containing the results of the audit required by subsection
6 (a), including an analysis of whether the targeting proce-
7 dures as implemented are appropriately limiting targeting
8 under section 702 of the Foreign Intelligence Surveillance
9 Act of 1978 (50 U.S.C. 1881a) to non-United States per-
10 sons located outside of the United States.

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