

119TH CONGRESS
2D SESSION

S. 4740

To amend the Foreign Intelligence Surveillance Act of 1978 to improve transparency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2026

Mr. WYDEN introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

A BILL

To amend the Foreign Intelligence Surveillance Act of 1978 to improve transparency, 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. PUBLIC RELEASE OF FOREIGN INTELLIGENCE**

4 **SURVEILLANCE COURT OPINION RELATED**

5 **TO SECTION 702 CERTIFICATIONS.**

6 As soon as practicable, but not later than 14 days
7 after the date of the enactment of this Act, the Director
8 of National Intelligence shall, in consultation with the At-
9 torney General, publicly release the Memorandum Opinion
10 and Order of the Foreign Intelligence Surveillance Court

1 dated March 17, 2026, regarding section 702 of the For-
 2 eign Intelligence Surveillance Act of 1978 (50 U.S.C.
 3 1881a), with such redactions as may be necessary to pro-
 4 tect intelligence sources and methods.

5 **SEC. 2. REPORTS TO CONGRESS ON SENSITIVE QUERIES.**

6 Section 702(f)(3) of the Foreign Intelligence Surveil-
 7 lance Act of 1978 (50 U.S.C. 1881a(f)(3)) is amended by
 8 adding at the end the following:

9 “(E) REPORTS TO CONGRESS.—Not less
 10 frequently than once each year, the Attorney
 11 General shall submit to the appropriate commit-
 12 tees of Congress an annual report on the num-
 13 ber of—

14 “(i) requests to conduct sensitive que-
 15 ries in the year covered by the report;

16 “(ii) requests to conduct sensitive que-
 17 ries that were approved and denied in the
 18 year covered by the report; and

19 “(iii) sensitive queries conducted in
 20 the year covered by the report, with such
 21 numbers disaggregated by the subclause of
 22 subparagraph (D)(ii) under which the re-
 23 quests were made or the sensitive queries
 24 were conducted.”.

1 **SEC. 3. DECLASSIFICATION OF SIGNIFICANT DECISIONS,**
2 **ORDERS, AND OPINIONS.**

3 Section 602 of the Foreign Intelligence Surveillance
4 Act of 1978 (50 U.S.C. 1872) is amended by striking sub-
5 section (a) and inserting the following:

6 “(a) DECLASSIFICATION REQUIRED.—

7 “(1) IN GENERAL.—Subject to subsection (b),
8 the Director of National Intelligence, in consultation
9 with the Attorney General, shall—

10 “(A) conduct a declassification review of
11 each decision, order, or opinion issued by the
12 Foreign Intelligence Surveillance Court or the
13 Foreign Intelligence Surveillance Court of Re-
14 view (as defined in section 601(e)) that is de-
15 scribed in paragraph (2);

16 “(B) consistent with that review, make
17 publicly available to the greatest extent prac-
18 ticable each such decision, order, or opinion;
19 and

20 “(C) complete the declassification review
21 required by subparagraph (A) and public re-
22 lease of each such decision, order, or opinion
23 pursuant to subparagraph (B) by not later than
24 180 days after the date on which the Foreign
25 Intelligence Surveillance Court or the Foreign

1 Intelligence Surveillance Court of Review issues
2 such decision, order, or opinion.

3 “(2) DECISION, ORDER, OR OPINION DE-
4 SCRIBED.—A decision, order, or opinion issued by
5 the Foreign Intelligence Surveillance Court or the
6 Foreign Intelligence Surveillance Court of Review
7 that is described in this paragraph is any such deci-
8 sion, order, or opinion issued before, on, or after the
9 date of the enactment of this Act that—

10 “(A) includes a significant construction or
11 interpretation of any provision of law, including
12 any novel or significant construction or inter-
13 pretation of any term;

14 “(B) involves a sensitive investigative mat-
15 ter (as defined in section 103(i)(12)); or

16 “(C) has been nominated for a declassifica-
17 tion review by an amicus curiae appointed by
18 the court.

19 “(3) DEFINITION OF SENSITIVE INVESTIGATIVE
20 MATTER.—In this subsection, the term ‘sensitive in-
21 vestigative matter’ means—

22 “(A) an investigative matter involving the
23 activities of—

1 “(i) a domestic public official or polit-
 2 ical candidate, or an individual serving on
 3 the staff of such an official or candidate;

4 “(ii) a domestic religious or political
 5 organization, or a known or suspected
 6 United States person prominent in such an
 7 organization; or

8 “(iii) the domestic news media; or

9 “(B) any other investigative matter involv-
 10 ing a domestic entity or a known or suspected
 11 United States person that, in the judgment of
 12 the Foreign Intelligence Surveillance Court or
 13 the Foreign Intelligence Surveillance Court of
 14 Review, is similarly as sensitive as an investiga-
 15 tive matter described in subparagraph (A).”.

16 **SEC. 4. REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE**
 17 **ORDER.**

18 Section 511 of the National Security Act of 1947 (50
 19 U.S.C. 3110) is amended by adding at the end the fol-
 20 lowing:

21 “(c) PUBLIC AVAILABILITY.—

22 “(1) IN GENERAL.—The Director of National
 23 Intelligence shall make each report submitted under
 24 subsection (a) available to the public on an internet

1 website, with such redactions as may be necessary to
 2 protect sources and methods.

3 “(2) RETROACTIVE REPORT PUBLICATION.—

4 With respect to a report submitted under subsection
 5 (a) prior to the date of the enactment of this para-
 6 graph, such report shall be made publicly available
 7 pursuant to paragraph (1) by not later than 180
 8 days after the date of the enactment of this para-
 9 graph.

10 “(d) DEPARTMENT OF JUSTICE REPORT.—The At-
 11 torney General shall, in consultation with the Director of
 12 National Intelligence, submit to the Committee on the Ju-
 13 diciary of the Senate and the Committee on the Judiciary
 14 of the House of Representatives a version of the report
 15 described in subsection (a) that addresses violations of the
 16 Foreign Intelligence Surveillance Act of 1978 (50 U.S.C.
 17 1801 et seq.).”.

18 **SEC. 5. TRANSPARENCY RELATED TO UNITED STATES PER-**
 19 **SON QUERIES OUTSIDE OF THE FOREIGN IN-**
 20 **TELLIGENCE SURVEILLANCE ACT (FISA).**

21 Section 603(b) of the Foreign Intelligence Surveil-
 22 lance Act (50 U.S.C. 1873) is amended—

23 (1) in paragraph (6)(C) by striking “; and” and
 24 inserting a semicolon;

1 (2) in paragraph (7), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(8) a good faith estimate of the number of
5 United States person search terms and queries, by
6 each element of the intelligence community, used to
7 retrieve information acquired pursuant to Executive
8 Order 12333 (50 U.S.C. 3001 note; relating to
9 United States intelligence activities), or successor
10 order, outside of this Act.”.

11 **SEC. 6. FIVE-WEEK EXTENSION OF SECTION 702 OF THE**
12 **FOREIGN INTELLIGENCE SURVEILLANCE**
13 **ACT.**

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

17 (1) in paragraph (1) (50 U.S.C. 1881 note), by
18 striking “June 12, 2026” and inserting “July 17,
19 2026”; and

20 (2) in paragraph (2) (18 U.S.C. 2511 note), in
21 the matter preceding subparagraph (A), by striking
22 “June 12, 2026” and inserting “July 17, 2026”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall take effect on the earlier of the date of
3 the enactment of this Act or June 11, 2026.

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