

RULES COMMITTEE PRINT 119–27
TEXT OF HOUSE AMENDMENT TO S. 1318

[Showing the text of the Foreign Intelligence Accountability Act

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Foreign Intelligence
3 Accountability Act”.

4 SEC. 2. CIVIL LIBERTIES REVIEW OF FBI QUERIES.

5 (a) REQUIREMENT.—Subsection (f)(3) of section 702
6 of the Foreign Intelligence Surveillance Act of 1978 (50
7 U.S.C. 1881a) is amended—

8 (1) in subparagraph (D)—

9 (A) by redesignating clauses (iv) through
10 (vi) as clauses (v) through (vii), respectively;

11 (B) by inserting after clause (iii) the fol-
12 lowing new clause:

13 “(iv) MONTHLY CIVIL LIBERTIES RE-
14 VIEW.—A requirement that the Federal
15 Bureau of Investigation, on a monthly
16 basis, provides to the Civil Liberties Pro-
17 tection Officer within the Office of the Di-
18 rector of National Intelligence the written
19 statements regarding each United States

1 person query submitted in the previous
2 month under clause (iii).”;

3 (C) in clause (vi), as so redesignated, by
4 striking “(iv)” and inserting “(v)”; and

5 (D) by conforming the margin of clause
6 (vii), as so redesignated, to the margin of the
7 other clauses; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(E) CIVIL LIBERTIES REVIEWS AND IN-
11 VESTIGATIONS.—

12 “(i) CIVIL LIBERTIES PROTECTION
13 OFFICER.—The Civil Liberties Protection
14 Officer within the Office of the Director of
15 National Intelligence shall review each
16 written statement regarding a United
17 States person query submitted under sub-
18 paragraph (D)(iv) to determine whether
19 the query meets the standards required by
20 the procedures adopted under paragraph
21 (1). If the Civil Liberties Protection Offi-
22 cer determines that the query did not meet
23 such standards or there exists possible
24 abuses of civil liberties and privacy, the
25 Civil Liberties Protection Officer shall

1 refer the query to the Inspector General of
2 the Intelligence Community.

3 “(ii) INSPECTOR GENERAL OF THE IN-
4 TELLIGENCE COMMUNITY.—The Inspector
5 General of the Intelligence Community
6 shall investigate each query referred under
7 clause (i) to determine whether the query
8 constitutes a violation of laws, rules, or
9 regulations or an abuse of authority.”.

10 (b) CONFORMING AMENDMENTS.—The National Se-
11 curity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

12 (1) in section 103D (50 U.S.C. 3029)—

13 (A) in subsection (b)—

14 (i) in paragraph (6), by striking “;
15 and” and inserting a semicolon;

16 (ii) by redesignating paragraph (7) as
17 paragraph (8); and

18 (iii) by inserting after paragraph (6)
19 the following new paragraph (7):

20 “(7) review each written statement submitted to
21 the Civil Liberties Protection Officer under section
22 702(f)(3) of the Foreign Intelligence Surveillance
23 Act of 1978 (50 U.S.C. 1881a(f)(3)); and”;

24 (B) in subsection (c), by inserting before
25 the period at the end the following: “, and,

1 based on the reviews specified in paragraph (7)
2 of such subsection, shall make referrals to the
3 Inspector General of the Intelligence Commu-
4 nity under section 702(f)(3) of the Foreign In-
5 telligence Surveillance Act of 1978 (50 U.S.C.
6 1881a(f)(3))”; and

7 (2) in section 103H(g)(3)(A) (50 U.S.C.
8 3033(g)(3)(A)), by inserting after “and safety” the
9 following: “(including with respect to referrals from
10 the Civil Liberties Protection Officer pursuant to
11 section 702(f)(3) of the Foreign Intelligence Surveil-
12 lance Act of 1978 (50 U.S.C. 1881a(f)(3))”.

13 **SEC. 3. CRIMINAL PENALTIES FOR VIOLATION OF PROHIBI-**
14 **TION ON QUERIES.**

15 (a) IN GENERAL.—Section 709 of the Foreign Intel-
16 ligence Surveillance Act of 1978 (50 U.S.C. 1881h) is
17 amended—

18 (1) in the heading, by striking “**UNAUTHOR-**
19 **IZED DISCLOSURE**” and inserting “**UNAUTHOR-**
20 **IZED DISCLOSURE AND OTHER ACTIONS**”;

21 (2) in subsection (a)—

22 (A) by striking “if that person knowingly”
23 and inserting the following: “if that person—”
24 “(1) knowingly”;

1 (B) by striking “party.” and inserting
2 “party;”; and

3 (C) by adding at the end the following new
4 paragraphs:

5 “(2) while serving as an employee or officer of
6 the Federal Bureau of Investigation, knowingly and
7 willfully violates the querying procedures adopted
8 under section 702(f)(1)(A); or

9 “(3) knowingly and willfully falsifies or materi-
10 ally misrepresents complying with the procedures or
11 requirements for querying information acquired
12 under section 702(a).”; and

13 (3) in subsection (b)—

14 (A) by striking “offense in this section”
15 and inserting the following: “offense—

16 “(1) in paragraph (1) of subsection (a)”;

17 (B) by striking “title 18” and inserting
18 “title 18, United States Code”;

19 (C) by striking “both.” and inserting
20 “both; and”; and

21 (D) by adding at the end the following new
22 paragraph:

23 “(2) in paragraph (2) or (3) of subsection (a),
24 shall be fined under title 18, United States Code,
25 imprisoned for not more than 5 years, or both.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents at the beginning of such Act is amended by
3 striking the item relating to section 709 and inserting the
4 following new item:

“Sec. 709. Penalties for unauthorized disclosure and other actions.”.

5 **SEC. 4. REQUIREMENT FOR TARGETING UNITED STATES**
6 **PERSONS UNDER THE FOREIGN INTEL-**
7 **LIGENCE SURVEILLANCE ACT OF 1978.**

8 Section 702 of the Foreign Intelligence Surveillance
9 Act of 1978 (50 U.S.C. 1881a) is amended by adding at
10 the end the following new subsection:

11 “(o) **FOURTH AMENDMENT REQUIREMENT FOR TAR-**
12 **GETING UNITED STATES PERSONS.—**

13 “(1) **PROHIBITION ON TARGETING UNITED**
14 **STATES PERSONS.—**In accordance with subsection
15 (b), no officer or employee of the United States Gov-
16 ernment may intentionally target a United States
17 person for an acquisition under section 702.

18 “(2) **ORDER REQUIREMENTS FOR TARGETING**
19 **UNITED STATES PERSONS.—**In accordance with the
20 other provisions of this Act and the Federal Rules
21 of Criminal Procedure, with respect to a United
22 States person, the United States Government may
23 seek—

24 “(A) an order authorizing electronic sur-
25 veillance in accordance with title I;

1 “(B) an order authorizing a physical
2 search in accordance with title III;

3 “(C) an order authorizing an acquisition in
4 accordance with section 703, 704, or 705; or

5 “(D) a warrant issued pursuant to the
6 Federal Rules of Criminal Procedure by a court
7 of competent jurisdiction.”.

8 **SEC. 5. ATTENDANCE PROCEDURES FOR MEMBER ACCESS**
9 **TO THE FOREIGN INTELLIGENCE SURVEIL-**
10 **LANCE COURT AND FOREIGN INTELLIGENCE**
11 **SURVEILLANCE COURT OF REVIEW.**

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

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

19 (2) issue new procedures that comply with such
20 section and ensure the access of the Members of
21 Congress and staff specified in such section to any
22 proceeding of the Foreign Intelligence Surveillance
23 Court or any proceeding of the Foreign Intelligence
24 Surveillance Court of Review.

1 **SEC. 6. REQUIREMENT FOR ATTORNEY APPROVAL OF FBI**
2 **QUERIES USING UNITED STATES PERSON**
3 **QUERY TERM.**

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

8 **SEC. 7. GOVERNMENT ACCOUNTABILITY OFFICE AUDIT OF**
9 **TARGETING PROCEDURES UNDER SECTION**
10 **702 OF THE FOREIGN INTELLIGENCE SUR-**
11 **VEILLANCE ACT OF 1978.**

12 (a) **AUDIT.**—The Comptroller General of the United
13 States shall conduct an audit of the targeting procedures
14 used for acquisitions under section 702 of the Foreign In-
15 telligence Surveillance Act of 1978 (50 U.S.C. 1881a), in-
16 cluding the technical mechanisms, implementation, and
17 operations used by the Federal Government for targeting
18 capabilities.

19 (b) **REPORT.**—Not later than one year after the date
20 of the enactment of this Act, the Comptroller General shall
21 submit to the Permanent Select Committee on Intelligence
22 and the Committee on the Judiciary of the House of Rep-
23 resentatives and the Select Committee on Intelligence and
24 the Committee on the Judiciary of the Senate a report
25 containing the results of the audit required by subsection
26 (a), including an analysis of whether the targeting proce-

1 dures as implemented are appropriately limiting targeting
2 under section 702 of the Foreign Intelligence Surveillance
3 Act of 1978 (50 U.S.C. 1881a) to non-United States per-
4 sons located outside of the United States.

5 **SEC. 8. EXTENSION OF AUTHORITIES OF TITLE VII OF THE**
6 **FOREIGN INTELLIGENCE SURVEILLANCE ACT**
7 **OF 1978.**

8 (a) EXTENSION OF REPEAL DATE OF TITLE VII.—
9 Section 403(b) of the FISA Amendments Act of 2008
10 (Public Law 110–261), as most recently amended by Pub-
11 lic Law 119–84, is further amended—

12 (1) in paragraph (1) (50 U.S.C. 1881 note) by
13 striking “April 30, 2026” and inserting “April 30,
14 2029”; and

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

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

