

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8178

To protect Americans from unauthorized surveillance.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2026

Mr. LIEU 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

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## A BILL

To protect Americans from unauthorized surveillance.

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. SHORT TITLE.**

4 This Act may be cited as the “Protecting Americans  
5 from Unauthorized Surveillance Act”.

6 **SEC. 2. FISA OVERSIGHT OFFICE.**

7 (a) IN GENERAL.—Title I of the Foreign Intelligence  
8 Surveillance Act of 1978 is amended by adding at the end  
9 the following:

1 **“SEC. 113. FISA OVERSIGHT OFFICE.**

2 “(a) IN GENERAL.—There is established an office, to  
3 be known as the ‘FISA Oversight Office’, within the De-  
4 partment of Justice (hereinafter in this section referred  
5 to as the ‘Office’). The Office—

6 “(1) shall evaluate each application under this  
7 title;

8 “(2) except as provided in paragraph (3), if the  
9 Office determines based on the evaluation under  
10 paragraph (1) that the probable cause standard  
11 under section 105(a)(2) may not be met, may—

12 “(A) petition to be joined as a party; and

13 “(B) file a motion with the court alleging  
14 that such standard has not been met; and

15 “(3) if the application is for the surveillance of  
16 a United States person and if the Office determines  
17 based on the evaluation under paragraph (1) that  
18 the probable cause standard under section 105(a)(2)  
19 has not been clearly met, shall—

20 “(A) petition to be joined as a party; and

21 “(B) file a motion with the court alleging  
22 that such standard has not been met.

23 “(b) ACCESS TO INFORMATION.—The Federal office  
24 filing the application shall provide the Office all available  
25 evidence that pertains to an investigation into a United  
26 States person. That officer is required to notify the Office

1 each time an application is filed with the court established  
2 under section 103(a).

3 “(c) REPORT REQUIRED.—Not later than 365 days  
4 after the effective date of this section, the Attorney Gen-  
5 eral and the Director shall submit to the appropriate com-  
6 mittees of Congress a report detailing—

7 “(1) the number of applications for which the  
8 FISA Oversight Office has filed a motion under sub-  
9 section (a)(2)(B) or (a)(3)(B) and information re-  
10 garding the subject of such applications and the in-  
11 formation sought to be collected;

12 “(2) the number of such applications that the  
13 FISA Oversight Office has declined to challenge,  
14 and information regarding the subject of such appli-  
15 cations and the information sought to be collected,  
16 as well as information regarding the Office’s decision  
17 not to challenge.”.

18 (b) CLERICAL AMENDMENT.—The table of contents  
19 for such Act is amended by inserting after the item per-  
20 taining to section 112 the following:

“Sec. 113. FISA Oversight Office.”.

21 **SEC. 3. REQUIREMENT FOR FOREIGN INTELLIGENCE SUR-**  
22 **VEILLANCE COURT TO APPOINT AMICUS CU-**  
23 **RIAE.**

24 Section 103(i) of the Foreign Intelligence Surveil-  
25 lance Act of 1978 (50 U.S.C. 1803(i)) is amended—

1           (1) by amending paragraph (2) to read as fol-  
2           lows:

3           “(2) REQUIREMENT.—A court established  
4           under subsection (a) or (b), consistent with the re-  
5           quirement of subsection (c) and any other statutory  
6           requirement that the court act expeditiously or with-  
7           in a stated time, shall appoint an individual who has  
8           been designated under paragraph (1) to serve as  
9           amicus curiae to assist such court in the consider-  
10          ation of each application for an order or review  
11          under this title.”;

12          (2) in paragraph (4), by striking “If a court es-  
13          tablished under subsection (a) or (b) appoints an  
14          amicus curiae under paragraph (2)(A)” and insert-  
15          ing “An amicus curiae appointed under paragraph  
16          (2)(A)”;

17          (3) in paragraph (6)(A), by striking “If a court  
18          established under subsection (a) or (b) appoints an  
19          amicus curiae under paragraph (2), the amicus cu-  
20          riae” and inserting “An amicus curiae appointed  
21          under paragraph (2)(A)”;

22          (4) by repealing paragraph (7).

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