

119TH CONGRESS
2^D SESSION

H. R. 9115

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2026

Mr. HIGGINS of Louisiana introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), and Financial Services, 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, 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 119–87, is further amended—

3 (1) in paragraph (1) (50 U.S.C. 1881 note) by
4 striking “June 12, 2026” and inserting “June 12,
5 2029”; and

6 (2) in paragraph (2) (18 U.S.C. 2511 note), in
7 the matter preceding subparagraph (A), by striking
8 “June 12, 2026” and inserting “June 12, 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 June 11, 2026.

12 **SEC. 2. WARRANT REQUIREMENT FOR ACQUISITION OF**
13 **COMMUNICATIONS OF UNITED STATES PER-**
14 **SONS.**

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—

22 “(A) the targeted person is relevant to an
23 existing, open, predicated full national security
24 investigation by the Federal Bureau of Inves-
25 tigation; and

1 “(B) in the case of communications of a
2 United States person acquired while targeting a
3 person for an acquisition under subsection (a)
4 who is not a United States person, if the target
5 of the investigation is such United States per-
6 son and the investigation is supported by prob-
7 able cause that such United States person is a
8 foreign power or an agent of a foreign power.”.

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

12 “(o) LIMITATIONS ON ACQUISITION OF COMMUNICA-
13 TIONS OF UNITED STATES PERSONS.—

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

1 States person to whom such communications re-
2 late—

3 “(A) is a foreign power or an agent of for-
4 eign power, in which circumstances the Govern-
5 ment may seek authorization for electronic sur-
6 veillance in accordance with title I, a physical
7 search in accordance with title III, or for acqui-
8 sitions in accordance with section 703, 704, or
9 705; or

10 “(B) is committing or has committed a
11 crime, in which circumstances the Government
12 may seek a warrant issued pursuant to the
13 Federal Rules of Criminal Procedure by a court
14 of competent jurisdiction.

15 “(2) PROCEDURES AND STANDARDS.—The At-
16 torney General and the Director of National Intel-
17 ligence shall jointly establish procedures and stand-
18 ards for officers and employees of the United States
19 Government to determine the existence of probable
20 cause described in paragraph (1).

21 “(3) PERIODIC REVIEW.—

22 “(A) REQUIREMENT.—Not less frequently
23 than once every 90 days, the Foreign Intel-
24 ligence Surveillance Court shall conduct a re-
25 view of the implementation of this subsection.

1 “(B) SCOPE OF REVIEW.—Each review
2 under subparagraph (A) shall include the fol-
3 lowing:

4 “(i) An assessment of whether the in-
5 gestion, retention, query, or other use of
6 information acquired under subsection (a)
7 concerning a United States person is in
8 compliance with subsection (n)(1) and
9 paragraphs (1) and (2) of this subsection.

10 “(ii) An evaluation of the adequacy of,
11 and the application of, the minimization
12 and querying procedures under this sec-
13 tion.

14 “(iii) A review of the compliance of
15 each element of the intelligence community
16 with respect to making such queries.

17 “(iv) An identification of any inci-
18 dents of noncompliance, including the
19 scope, duration, and remedial actions
20 taken.

21 “(C) REPORT.—On a quarterly basis, the
22 Court shall submit to the Speaker of the House
23 of Representatives, the President of the Senate,
24 the congressional intelligence committees, and
25 the Committees on the Judiciary of the House

1 of Representatives and the Senate a summary,
2 in a manner consistent with the protection of
3 classified information, of the most recent review
4 under subparagraph (A), including with respect
5 to significant compliance issues.

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

10 (c) USE OF INFORMATION.—Paragraph (2) of section
11 706(a) of such Act (50 U.S.C. 1881e(a)) is amended to
12 read as follows:

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

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

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

1 **“SEC. 709. PENALTIES FOR UNAUTHORIZED DISCLOSURE**
2 **AND OTHER ACTIONS.**

3 “(a) OFFENSES.—

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

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

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

23 “(2) UNAUTHORIZED QUERY.—A person is
24 guilty of an offense under this paragraph if that per-
25 son, while serving as an officer or employee of a de-
26 partment or agency of the United States, with spe-

1 cific intent to violate this paragraph, willfully con-
2 ducts a United States person query of information
3 acquired under section 702(a), knowing that the
4 query does not support a duly authorized purpose
5 within the scope of the authority of such department
6 or agency.

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

17 “(b) PENALTIES.—

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

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

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

5 “(c) DEFENSES.—

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

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

13 “(B) such query was conducted pursuant
14 to a duly authorized purpose.

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

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

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

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

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

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

1 **SEC. 5. 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. 6. 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, consistent with the protection of sensitive sources
14 and methods, shall conduct an audit of the targeting pro-
15 cedures used for acquisitions under section 702 of the
16 Foreign Intelligence Surveillance Act of 1978 (50 U.S.C.
17 1881a), including the technical mechanisms, implementa-
18 tion, and operations used by the Federal Government for
19 targeting capabilities.

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

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

6 **SEC. 7. CENTRAL BANK DIGITAL CURRENCY.**

7 The Federal Reserve Act (12 U.S.C. 221 et seq.) is
8 amended by inserting after section 16 (12 U.S.C. 411 et
9 seq.) the following:

10 **“SEC. 16A. CENTRAL BANK DIGITAL CURRENCY.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) CENTRAL BANK DIGITAL CURRENCY.—The
13 term ‘central bank digital currency’ means a digital
14 asset that—

15 “(A) is denominated in United States dol-
16 lars;

17 “(B) is a United States currency;

18 “(C) is a direct liability of the Federal Re-
19 serve System; and

20 “(D) is widely available to the general pub-
21 lic.

22 “(2) DIGITAL ASSET.—The term ‘digital asset’
23 has the meaning given the term in section 2 of the
24 GENIUS Act (12 U.S.C. 5901).

1 “(b) PROHIBITION.—Except as provided in sub-
2 section (c), the Board of Governors of the Federal Reserve
3 System or a Federal reserve bank may not issue or create
4 a central bank digital currency or any digital asset that
5 is substantially similar to a central bank digital currency
6 directly or indirectly through a financial institution or
7 other intermediary.

8 “(c) EXCEPTION.—Subsection (b) shall not prohibit
9 any dollar-denominated currency that is open,
10 permissionless, and private, and fully preserves the privacy
11 protections of United States coins and physical currency.

12 “(d) SUNSET.—This provisions of this section shall
13 cease to be effective on December 31, 2031.

14 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed to allow the Board of Governors
16 of the Federal Reserve to issue a central bank digital cur-
17 rency or any digital asset that is substantially similar to
18 a central bank digital currency directly or indirectly absent
19 authorization by an Act of Congress.”.

○