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Franklin, Scott
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Gaetz
Gallagher
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Garcia, Mike
Gimenez
Gonzales, Tony
Good (VA)
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Granger
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Green (TN)
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NOES—208

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Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Harder (CA)
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Scott (VA)
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Vargas
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Velázquez
Wasserman Schultz
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Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—10

Babin
Gallego
Grijalva
Grothman
Johnson (GA)
Lesko
Luetkemeyer
Mooney
Payne
Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 0931

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GROTHMAN. Mr. Speaker, had I been present, I would have voted "aye" on rollcall No. 113.

PERSONAL EXPLANATION

Mr. PAYNE. Mr. Speaker, I was unable to cast my vote for rollcall Nos. 112 and 113. Had I been present, I would have voted nay on rollcall Vote No. 112, Motion on Ordering the Previous Question on H. Res. 1137, and nay on rollcall Vote No. 113, H. Res. 1137.

REFORMING INTELLIGENCE AND SECURING AMERICA ACT

GENERAL LEAVE

Mr. TURNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 7888.

The SPEAKER pro tempore (Mr. LANGWORTHY). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 1137 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 7888.

The Chair appoints the gentleman from Pennsylvania (Mr. MEUSER) to preside over the Committee of the Whole.

□ 0940

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 7888) to reform the Foreign Intelligence Surveillance Act of 1978, with Mr. MEUSER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary, or their respective designees, and the chair and ranking minority member of the Permanent Select Committee on Intelligence, or their respective designees.

The gentleman from Ohio (Mr. JORDAN), the gentleman from New York (Mr. NADLER), the gentleman from Ohio (Mr. TURNER), and the gentleman from Colorado (Mr. CROW) each will control 15 minutes.

The Chair now recognizes the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chair, I yield myself such time as I may consume.

This bill is about the extension of section 702 of the Foreign Intelligence Surveillance Act. That is the act under which we are able to spy on our adversaries, those individuals who intend to do our Nation harm.

There has been great debate and great discussion among the Members in this body. Everyone is in agreement that there have been unbelievable abuses by the FBI of access to foreign intelligence. The underlying bill, for which there is broad support, punishes the FBI. It criminalizes the FBI's abuses, limits and restricts the FBI's access to foreign intelligence, and further puts guardrails to punish the FBI.

What is also in agreement here on this House floor is the protection of Americans' civil liberties. You have to have a warrant, and there is absolute constitutional protection of Americans' data. There is no place in this statute where Americans' data becomes at risk.

Debate today, though, is not about FISA. It is not about spying on our adversaries. The debate today is about a warrant requirement in an amendment that has been offered by Representatives BIGGS and JAYAPAL.

This amendment, largely drafted by Senator WYDEN and cosponsored by Senator WARREN, would for the first time in history provide constitutional rights to our adversaries. It would provide constitutional rights to our enemies. No law has ever come out of this body that would provide constitutional rights to our adversaries.

We spy on Hezbollah. We spy on Hamas. We spy on the Ayatollah. We spy on the Communist Party of China. This bill provides them constitutional protections to communicate with people in the United States to recruit them for the purposes of being terrorists, for being spies, and for doing espionage.

The 9/11 perpetrators were in the United States, and they were communicating with al-Qaida. At that time, we made a grave mistake in that we were not spying on al-Qaida and didn't see who they were communicating with in the United States. We changed that and began to spy on al-Qaida and got to see the extent to which they were recruiting people in the United States to do us harm.

□ 0945

If this amendment passes, al-Qaida will have full constitutional protections to recruit in the United States; the Communist Party will have full constitutional protection to recruit in the United States; and there will be no increased protection of constitutional protections for Americans and their data. The only data that would become protected is data that is located in al-Qaida's inbox and the Communist Chinese's inbox.

Now, how is it that they become protected? This amendment would require that we have to have a warrant to look into Chinese Communist Party data for the recruitment efforts that they are doing within the United States. We would have to have evidence of a crime that is occurring in order to get that warrant, which means we will be blind.

If this becomes law, we will be blind, and we will be unable to look at what Hezbollah is doing in the United States, what Hamas is doing in the United States, and what the Communist Party is doing in the United States. There are no additional protections for Americans in this amendment. Americans still have full constitutional protection of their own data.

Mr. Chair, let me give you an example of how this works under their amendment. We are spying on Hamas. Two people in the United States send emails to Hamas. One says happy birthday, and one says thank you for the bomb-making classes. When those two emails go to Hamas, right now, we see them.

If you send a happy birthday to Hamas and we see it, that doesn't matter. It is not a threat to the United States.

If you send an email that says thank you for the bomb-making classes, we intercept that email, read it, and find out who it is. Then, when we come here to go find that person to arrest them and to make certain that they don't harm Americans, we have to go to court and get a warrant.

There already is a warrant requirement for the protection of Americans and people who are here in the United States. If you have to have a warrant to look at the two emails that are sent to Hamas, happy birthday and thank you for the bomb-making classes, then you have no evidence of a crime. You have no ability to read these two emails. We will go dark. We will go blind.

The FBI abuses have been extraordinary in their searching of foreign data. We need to punish them. This underlying bill punishes the FBI. We should not punish Americans. We should not make our Nation less safe by giving constitutional protections to Hamas and by giving constitutional protections to the Chinese Communist Party.

I have been talking to Members on the floor, and they say this amendment is about protecting Americans' data in the United States. It is not. Americans' data in the United States is already protected by the Constitution. There is nobody on this House floor who would argue that you don't need a warrant to look at Americans' data in the United States.

I encourage everyone to pick this amendment up and read it. It applies to the data that we collect in spying on Hamas, Hezbollah, and the Chinese Communist Party. To give them a warrant and to give them constitutional protections means that they are open for business.

The day after this passes and we go blind, the Chinese Communist Party has a complete pass to recruit in the United States students to spy on our industry and on our universities. Hamas and Hezbollah have a complete pass. We will be blind as they try to recruit people for terrorist attacks in the United States.

Currently, we keep America safe by spying on our adversaries. Do not give our adversaries constitutional protection.

Mr. Chair, I reserve the balance of my time.

Mr. HIMES. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in support of this legislation.

First, let me emphasize again that, as the chairman said, section 702 is our single most important intelligence authority. We use it every day to protect the Nation from threats ranging from China and Russia to terrorist plots, fentanyl traffickers, and much more. It cannot be allowed to expire.

It is also true that the 702 program requires substantial reform. We have done this before, and we are doing it in this base bill.

I would also make a critical point here, which is that this is arguably our most heavily scrutinized and overseen intelligence authority. It is approved—and I am going to say this twice—every single year and has been since 2009 by Federal judges, Federal judges who crawl all over this program looking for constitutional violations and looking for violations of law, and since 2009, they have recertified this program.

It is also overseen by the Congress. The chairman and I see problems with the program. It is overseen inside by the Attorney General. It is the most scrutinized intelligence collection program that we have.

The bill before the House today is the product of very serious oversight, resulting in a base text that preserves the value of 702 while putting in place more than 50 significant reforms aimed at preventing its misuse, those misuses that were detailed and that the chairman referred to, which, by the way, are down to the tune of 90 percent. This bill would codify those reforms and require that the FBI continue to follow those rules.

This legislation contains the most significant reforms to 702 ever. Among many other proposals, this bill will continue the progress already made, which I referred to, by the Biden administration and others to ensure compliance.

The bill would ban queries conducted to find evidence of a crime and cut by 90 percent—90 percent—the number of FBI personnel that can approve U.S. person queries.

That is what we give up if we don't pass this bill.

We will consider several amendments to the bill, most of which I will support. However, I am opposed to the Biggs amendment. It is an extreme and misguided proposal that seriously undermines our national security.

I understand the instinct. There is no way to collect intelligence on foreign emails and texts without having some Americans on the other side of this. This bill puts in place protections to make sure that the abuses of the past don't continue into the future.

I would add that I understand the concern. Federal judges crawl all over this program every single year, and not one Federal judge—not one—has found constitutional issues with U.S. person queries.

The Privacy and Civil Liberties Oversight Board, the PCLOB, proposed a warrant that is much less extreme than the one in the Biggs amendment. The PCLOB—and by the way, this proposal was split on the PCLOB—proposed that only in the event that a U.S. person query produces information, only in that event, which is about 2 percent of all queries, would a warrant be required.

The Biggs amendment would require a warrant for every single U.S. person query that the government makes inside information that it already has.

The narrow exceptions included in this amendment will also not work. You don't need to take that from me, Mr. Chair. Talk to anybody in the government who uses this program.

We don't know if a query is about something that is an exigency until we know what is in the information that that query would turn up.

Enacting this amendment would make us far less safe. We will lose the ability to disrupt terrorist plots, identify spies, interdict fentanyl, and much

more, not because it was constitutionally required but because we simply chose not to look.

As Jake Sullivan said this week: ''The extensive harms of this proposal simply cannot be mitigated.''

I would point my colleagues, particularly on my side of the aisle, to the President's extraordinarily strong Statement of Administration Policy in which he reiterates the damage that will be done by this amendment should it pass.

Mr. Chair, with a lot of what we do here, the consequences don't appear immediately. If we turn off the ability of the government to query U.S. person data, then the consequences will be known soon, and we will audit why what happened happened. The consequences will be known soon, and accountability will be visited.

Once again, Mr. Chair, I urge Members to vote for the underlying bill and to oppose the Biggs amendment, and I reserve the balance of my time.

Mr. TURNER. Mr. Chair, I yield 3 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Chair, I certainly am a supporter of this underlying bill. This is a bipartisan product. It came out of the Intelligence Committee, and it came out of the Intelligence Committee when we realized a few years ago all the abuses that were taking place within our intelligence system. We knew we had to act. There had to be reforms, and there had to be criminal liability when people and their agencies are doing the wrong things. That wasn't in place, and for the last 2½ years, we have worked on this.

We have worked on it in a bipartisan way not just with the Intelligence Committee but with the whole body. We opened this up to the entire body, Republican and Democrat, regardless of what committee a Member is on, and we worked together to craft a very good bill.

This isn't just an Intelligence Committee bill. This is a House of Representatives bill.

That is what we have brought forward. This bill ensures Americans' civil liberties are secure and that we have intelligence collection tools that we need to safeguard our country from foreign threats.

The Constitution asked us to provide for our defense, which is what we are trying to do, and to work against all enemies, foreign and domestic, which is what we are trying to do.

I want to set the record straight. It is already in statute that a warrant is required every single time the United States Government wants to investigate a U.S. person under FISA under section 702, but a warrant is not required to do a query to find out what we might need for probable cause to get a warrant. Now, this amendment wants to put a warrant on getting a query when time is of the essence.

Mr. Chair, if Ali Khamenei is talking about you and we pick up that, then I want to know why he is talking about you. I want to do a query into the information we already have to see if anyone else is talking about you.

Moreover, I want to find out if they are planning to assassinate you, Mr. Chair. I shouldn't need a warrant to try to find out if a foreign actor is trying to assassinate a U.S. citizen. I shouldn't need a warrant to find out if a foreign actor or terrorist is working with someone in the United States to harm other Americans, but if we want to investigate that person, then yes, we do.

There is a lot of misinformation out there. American civil liberties are not being harmed.

Mr. Chair, I will give you a hypothetical example, too. American citizen Bob Smith pops up in a FISA database. Some are saying that government can obtain or search Bob's emails, texts, and phone calls. That is not true. That is not true, but you can do a query to see if anyone else is talking about this person, and not just anyone else anywhere, but a foreign actor or a foreign terrorist whose information you already have.

Mr. TURNER. Mr. Chairman, how much time is remaining on Dr. Wenstrup's 3 minutes?

The CHAIR. The gentleman from Ohio has 20 seconds remaining.

Mr. WENSTRUP. Mr. Chair, I want to just say what is true and what is not true. A query does not investigate a U.S. citizen. In many cases, it is acting on behalf of a U.S. citizen to keep them safe.

Mr. HIMES. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI). The Speaker Emerita is the single longest serving member of the Committee on Intelligence ever. She is a member whose, as my Republican colleagues regularly remind me, progressive bona fides are unchallengeable and who came to this institution to fight for civil liberties.

Ms. PELOSI. Mr. Chair, I thank the gentleman for yielding and for his great leadership of the Intelligence Committee, and I thank our members of the Intelligence Committee on both sides of the aisle for their important work to protect our national security.

Having served there, I know it is a place where we strive for bipartisanship.

Mr. Chair, as the gentleman indicated, I came to this committee in the early nineties, and my purpose was to protect the civil liberties as we protected the national security of our country. I had two purposes. One was to stop the proliferation of nuclear weapons, and secondly, on par with that, was to make sure that we protect the civil liberties.

Over the course of that time, I have voted for legislation that is less than what I would have liked but advanced the cause. Both the chair and the ranking member have put forth a very clear idea about why 702 is important, and I associate myself with their remarks.

I just want to say to this: I went in, in the early nineties. I became the ranking member, the top Democrat on the committee. For 20 years, I was in the Gang of Eight, in terms of receiving intelligence, up until last year when I stopped being the Speaker of the House. For that whole time, it has been about what this means to the civil liberties of the American people.

I had a bill that we brought when former President Bush was President that addressed some of our FISA concerns that didn't go all the way. This bill does.

In this legislation, there are scores of provisions that could strengthen our case for civil liberties. Some of them are improvements on existing law. Some of them are new provisions in the law to protect the civil liberties of the American people.

□ 1000

Therefore, the Biggs amendment seriously undermines our ability to protect national security, and I urge our colleagues to vote against it.

I don't have the time right now, but if Members want to know, I will tell them how we could have been saved from 9/11 if we didn't have to have the additional warrants.

Mr. Chair, I urge a ''no'' vote on the Biggs amendment and a ''yes'' vote on the bill.

Mr. TURNER. Mr. Chair, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, to my folks at home: Are you concerned about counterterrorism threats? I am, too.

FISA section 702 informed the planning for the February 2022 U.S. military operation that resulted in the death in Syria of Hajji 'Abdallah, the leader of ISIS. That is one example.

Are you concerned about fentanyl? I am, too. We were able to leverage FISA section 702 intelligence to identify a foreign actor overseas who was supplying a pill press machine and other equipment to drug cartels in Mexico to help thwart that fentanyl threat.

Are you concerned about cyber threats? I am, too.

FISA section 702 played an important role in the U.S. Government's response to a cyberattack on Colonial Pipeline back in 2021 and other cyber threats that have taken place since then.

Are you concerned about threats to our troops? I am, too.

FISA section 702 has identified threats to U.S. troops and disrupted planned terrorist attacks on those troops overseas in places like the Middle East, a U.S. facility, specifically in the Middle East. Section 702 was used to monitor communications as those terrorists traveled to execute those plans.

We can't overstate the importance of 702, and I know you are concerned about the rights of the American people. I am, too.

I am an American, just like you are. That is why there already is a warrant requirement in place. We are protecting U.S. persons. We can't allow 702 to expire and expect that we are going to have good results at the end of the day.

Mr. Chair, I support section 702, and I urge a ''yes'' vote.

The CHAIR. Members are reminded to direct their remarks to the Chair and not to a perceived viewing audience.

Mr. HIMES. Mr. Chair, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise in support of the reauthorization of section 702 of the Foreign Intelligence Surveillance Act, which was first passed by Congress in 2008.

FISA codified what had been a secret and legally unauthorized practice of warrantless collection of phone, email, and other communications of non-U.S. persons located outside of the United States in response to the deadly 9/11 attack that killed thousands of Americans.

As they planned that deadly attack, al-Qaida plotters used U.S. communications facilities, and American foreign intelligence picked up the chatter. However, the stovepipe that kept this intel from domestic law enforcement created the situation where domestic law enforcement could not protect us from the threat because they did not know of the plot before it happened. If section 702 had been in place prior to 9/11, the FBI could have been able to prevent the attack.

Additionally, allowing section 702 to expire would expose Americans to grave danger, like the horrific massacre of Israeli Jews on October 7; the military style assaults, for example, that happened in Russia recently; and other mass-casualty events, the limits of which are only limited by the depravity of those who would plan them.

Mr. Chair, that is why I rise in support of this legislation.

Mr. TURNER. Mr. Chair, may I inquire as to how much time is remaining.

The CHAIR. The gentleman from Ohio has 5 minutes remaining.

Mr. TURNER. Mr. Chair, I yield 2½ minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Chair, I thank the gentleman for yielding, and I thank the gentleman for his leadership on this bill.

Mr. Chair, I rise today in strong support of H.R. 7888, the Reforming Intelligence and Securing America Act.

Over the past year, I have led the Intelligence Committee task force on FISA reauthorization, working with my colleagues to find commonsense reforms to the processes under section 702 to create a balance between protecting national security and preserving constitutional liberties afforded to all U.S. persons.

It is important to state at the outset that section 702 is used only to target bad actors overseas and our adversaries who are not protected under the Fourth Amendment. It is not used to surveil or target Americans.

Throughout our process, we regularly engage with national security leaders, former Trump administration officials, and our colleagues both on the Judiciary Committee and throughout the Conference.

This bill before us makes targeted, meaningful changes to FISA and section 702 without upending the statute in a way that will lead to unintended consequences resulting in the United States being less safe.

Prior to coming to Congress, I served as an assistant U.S. attorney and chief terrorism prosecutor. I witnessed firsthand the valuable use of FISA. Section 702 is a critical tool that helps the IC defend the United States against the malign actors we worry about daily, and the value of what 702 has done for our country over the last 15-plus years is immense.

I will mention four existential things that have happened in the last 9 years: the taking out of bin Laden; the assassination of Soleimani, the Iranian leader, by President Trump; the taking out of al-Baghdadi, the leader of ISIS; and last year, the taking out of al-Zawahiri. The use of 702 in all of those cases was definitive in the taking out of those terrorists.

I also say, with this bill, it institutes the largest reform of the FBI in a generation. It makes the necessary changes to prevent potential bad actors from improperly utilizing FISA from anything other than its intended use, protecting Americans from foreign threats.

Particularly, in this day and age, with China, what is going on in the Middle East, and the nonenforcement at our southern border, it is now more important than ever that we have a vibrant, robust 702 in place.

Lastly, I include in the RECORD a letter from Mike Pompeo, John Ratcliffe, Devin Nunes, William Barr, and Robert O'Brien, former Trump administration officials that worked in national security, where they specifically support our bill and express grave concerns about the warrant amendment that will be brought up today.

DECEMBER 7, 2023.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

MR. SPEAKER, As former officials who have either worked for or with the Intelligence Community, we write today with serious concerns that a critical tool to keep Americans safe will cease to be available to the men and women who protect the United States each day.

At the end of this month, Section 702 of the Foreign Intelligence Surveillance Act (FISA) will sunset. This is one of the most critical tools the Intelligence Community has at its disposal. Section 702 must be reauthorized and, as evidenced by the FBI's prior flagrant abuses, FISA must also be reformed. Those reforms should focus on concrete improvements—including congressional oversight of and access to FISA Court transcripts—rather than a warrant requirement that may not achieve its intended objectives and could hinder current national security efforts.

We urge you to support the House Permanent Select Committee on Intelligence's bipartisan bill sponsored by Chairman Mike Turner and Ranking Member Jim Himes.

Respectfully,

MIKE POMPEO,
Former Secretary of State, Former Director of the Central Intelligence Agency.
WILLIAM BARR,
Former Attorney General of the United States.
JOHN RATCLIFFE,
Former Director of National Intelligence.
ROBERT O'BRIEN,
Former National Security Advisor to the President.
DEVIN NUNES,
Former Chairman, House Permanent Select Committee on Intelligence.

Mr. LAHOOD. Mr. Chair, I urge a ''no'' vote on the warrant amendment and a ''yes'' vote on our underlying bill.

Mr. HIMES. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. CROW), who, prior to coming here, defended this Nation's security at risk to his own life in the uniform of the 75th Ranger Regiment.

Mr. CROW. Mr. Chair, I rise in support of the Reforming Intelligence and Securing America Act to reauthorize section 702 of FISA.

As one of the Nation's most essential intelligence-gathering tools, the importance of reauthorizing FISA cannot be overstated. Every day, our Nation's diplomats, intelligence professionals, defense officials, soldiers, marines, and airmen rely on intelligence derived from section 702 to advance their missions and to protect our country.

It provides vital insights into the kinds of threats that we need to be able to protect Americans from, including threats against our critical infrastructure, our computer networks, our financial system, and our citizens.

This bill is the product of careful, bipartisan negotiations. These negotiations have insured that this bill will not only maintain the effectiveness of FISA, but also enhance protections for America's civil liberties. It makes targeted reforms to address compliance issues and to prevent abuses.

The amendment proposed by my colleagues to require a warrant before accessing this information, which has already been lawfully collected and reviewed by courts and is in the possession of the U.S. Government, would serve as a de facto ban on ever accessing it. It creates an unacceptable level of risk with consequences that will be felt almost immediately for Americans and our national security.

Therefore, Mr. Chair, I urge my colleagues to reject the Biggs amendment and to support the underlying bill.

Mr. TURNER. Mr. Chair, I yield 1½ minutes to the gentleman from Texas (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Chairman, I have seen a lot since we have been here. This is my third term. Never before have I actually been frightened about what could happen if FISA is not reauthorized or this warrant amendment is passed, which effectively kills our ability to detect and connect the dots between foreign terrorists and what they might do here domestically.

I have never been more concerned. I spent the last 20 years of my life fighting for this country. I lost an eye doing it.

Additionally, I don't think we actually disagree very much on principle. There is always a balance between civil liberties, privacy, and security. I don't think my colleagues and I are very far apart on that. We are very far apart on the facts at hand. So let's talk about some myths and some facts.

Myth: FISA is used to spy on Americans.

The myth goes like this: If you query an American's name, you can see their in-box. That is not true.

It is used to spy on foreign intelligence targets, foreign terrorists, and you need a warrant to do so. If they speak to an American, you will get that part of the conversation. That is all you get.

There is another myth. This bill doesn't go far enough. It doesn't do any reforms. That is not true.

The reforms in here would stop in their tracks what happened to President Trump with Crossfire Hurricane. It is almost entirely intended to stop what happened to President Trump. Not only that, it would codify 56 warrant reforms. It would put in processes before queries are even made. It would put in criminal penalties for those who do not abide by those processes.

The FBI hates these reforms, by the way.

Mr. Chair, I urge my colleagues to support this bill and not to support the amendment to require a warrant for queries.

Mr. HIMES. Mr. Chair, may I inquire as to how much time is remaining.

The CHAIR. The gentleman has 5½ minutes remaining.

Mr. HIMES. Mr. Chair, I yield 1½ minutes to the gentlewoman from Pennsylvania (Ms. HOULAHAN).

Ms. HOULAHAN. Mr. Chair, I rise today in strong support of the Reforming Intelligence and Securing America Act, which would reauthorize FISA 702.

We live in a dangerous world, and section 702 is crucial to keeping Americans safe. This is a tool that our intelligence agencies rely upon all day to counter all kinds of threats to our homeland from U.S. nonpersons. Again, U.S. nonpersons.

Whether uncovering Chinese spies or foiling terrorist plots or intercepting cyberattacks, this authority is essential to our national security. This tool can even allow our intelligence community to counter drug cartels as they attempt to bring deadly fentanyl to our shores, but it would be enhanced by an amendment that Mr. CRENSHAW and I are proposing, the Enhancing Intelligence Collection on Foreign Drug Traffickers Act.

Mr. Chair, I urge my colleagues to support this amendment when we vote later this morning.

However, not all of the amendments today would strengthen this bill. In fact, I am strongly opposed to the amendment offered by Mr. BIGGS, and I am obligated to point out the dangers of passing this extreme amendment.

Intelligence professionals who rely on this tool, 702, keep us safe and have been crystal clear. This amendment would make it nearly impossible to access information essential to protect our homeland security.

Mr. Chair, I thank the gentleman for yielding, and I urge a ''yes'' vote on the overall bill to reauthorize FISA, and a ''no'' vote on the Biggs amendment.

Mr. TURNER. Mr. Chair, I yield 1 minute to the gentleman from Florida (Mr. RUTHERFORD), who opposes giving constitutional rights to our foreign adversaries.

Mr. RUTHERFORD. Mr. Chair, I thank the gentleman from Ohio for yielding.

Mr. Chair, I rise today in strong support of this bill and equally strong opposition to the amendment.

Simply put, this amendment ties the hands of our intelligence community, making all of us less safe. This amendment requires the IC to get a probable cause warrant to search a set of data that has legally been collected. Our intelligence community must have access to legally collected, pertinent information, and we should not be adding roadblocks.

As a former law enforcement officer, I strongly believe in the civil liberties of all Americans. I spent my life protecting them. However, this amendment does not provide any more protection to Americans. All this amendment does is gut 702, giving to terrorists, adversaries, and bad actors a major win.

Restricting access to already legally collected data makes us all less safe, and 702 is a vital piece of our security and must be preserved.

Mr. Chair, I urge a ''no'' vote on the amendment.

Mr. HIMES. Mr. Chair, I yield 1½ minutes to the gentleman from New York (Mr. GOLDMAN).

Mr. GOLDMAN of New York. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise today in support of this bill that includes an absolutely essential national security program. However, I will support this bill only if the amendment that would impose a warrant requirement on queries regarding American citizens fails.

First, a warrant is simply not needed because the query in question is not a new search. It simply identifies any contacts or communications with Americans within the universe of information that was already lawfully obtained from the original search, and that original search can only be of foreign nationals on foreign soil.

I spent 10 years as a Federal prosecutor and obtained hundreds of search warrants. Based on that experience, I can say with confidence that requiring a warrant would render this program unusable and entirely worthless.

Based on the information available to law enforcement, it would be impossible to get probable cause to obtain a search warrant from a judge in a timely manner. Additionally, even if it were possible, the time required to obtain a search warrant from a judge would frequently fail to meet the urgency posed by a terrorist or other national security threat.

□ 1015

A warrant requirement is unnecessary and unworkable and I, therefore, urge my colleagues to oppose the Biggs amendment.

The CHAIR. The time of the gentleman from Ohio (Mr. TURNER) has expired.

Mr. HIMES. Mr. Chair, I thank the gentleman from Ohio for his terrific work in the face of very real challenges and his commitment to bipartisanship.

This is a critical and bipartisan effort, and it is one that he and I and many others have spent thousands of hours on. As we close out debate, two things are very clear: Number one, this authority must be reauthorized.

I have heard too many Members saying that I will vote to reauthorize it so long as I get this amendment passed. If you are serious about keeping the American people safe, if you are serious about what you said, which is that this must be reauthorized, vote for final passage. This is our single most important tool to keep Americans safe.

Secondly, the Biggs amendment is an extreme amendment, and I understand the instinct.

As I mentioned before, the PCLOB, the President's Civil Liberties Oversight Board, proposed something that would require, in very limited circumstances, a judicial amendment. This amendment is far more extreme than that one, and it is not driven by constitutional concerns. Not a single Federal court after years and years of scrutiny has identified a Fourth Amendment issue.

This is a policy choice, and I would say to those friends of mine on my side of the aisle, maybe you have spent more time on this collection authority than I have. I have probably spent 2,000 or 3,000 hours, so maybe you have spent more. I am willing to concede that. Maybe you know better than I do, but I would ask you to listen to the people who use this every single day at the Department of Justice, at our intelligence community. I would ask you to read the last paragraph of the administration's statement of administration

policy, which concludes with the line: ''Our intelligence, defense, and public safety communities are united: The extensive harms of this proposal simply cannot be mitigated.''

We are Article I. You have probably done a lot of work. Maybe you know better on the Biggs amendment. We will find out. Pass the Biggs amendment. Do what the SAP says would badly damage our safety. We will find out.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The gentleman from Ohio (Mr. JORDAN) and the gentleman from New York (Mr. NADLER) each will control 15 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, in 2021, 2022, the FBI did over 3 million U.S. person queries of this giant 702 database—of this giant haystack of information, 3 million queries of United States persons. Make no mistake, query is a fancy name for search. Three million Americans' data was searched in this database of information, and guess what? The FBI wasn't even following their own rules when they conducted those searches. That is why we need a warrant.

This is not JIM JORDAN talking about it. This is not Ranking Member NADLER talking about it, but The Washington Post reported last May that 278,000 times the FBI found, the Justice Department found, that they didn't even follow their own darn rules when they searched this giant haystack, this giant database of information on Americans.

What we are saying is, let's do something that the Constitution has had in place for a couple hundred years that has served our Nation well and protected American citizens' liberties. Let's make the executive branch go to a separate and equal branch of government, the judicial branch, and get a probable cause warrant to do the search.

After all, it has done pretty well for this great country, greatest country ever, for a long, long time. Why wouldn't we have that here?

By the way, in a bipartisan fashion coming out of our committee, 35–2 vote, we said we will even put exceptions in there. If it is an emergency situation, the FBI doesn't have to get a warrant. They can do the search. If it is an emergency situation, they can do it. We have put exceptions in there.

Here is the fundamental question that I raised the other day: Of the over 3 million searches in a 2-year time span, how many of those aren't covered by the exceptions we have in our warrant amendment? What is the number? Guess what? We can't get an answer. They won't tell us, which should be concerning in and of itself, but if it is a big number, we should be particularly frightened.

If they don't follow the exceptions and they are searching Americans, searching your name, your phone number, your email address in this giant database, that should scare us. And if it is a small number, then what is the big deal? We can't get an answer to that question.

The underlying bill has got some changes and reforms that are positive, that are good, but short of having this warrant amendment added to the legislation, we shouldn't pass it.

This amendment is critical, particularly when you think about the 278,000 times they abused the system, didn't follow their own rules. Now we say, oh, we have got some new rules, they will follow them now. No. No.

The real check we have in our system is a separate and equal branch of government signing off on it. That is how we do things in America. And never forget, this is the FBI who has had some other abuses in different areas.

This is why we think this warrant requirement is so darn important, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in strong support of meaningful reform to FISA section 702 and in strong opposition to a mere fig leaf or, even worse, an expansion of 702. Unfortunately, we will not know which of these paths we are taking until the conclusion of this debate.

What I know at this moment is that the base text before us right now is completely inadequate. Although it has some perfectly fine provisions, it does not represent real reform. Some of the proposed amendments that will be coming up today would take us in the wrong direction, and changing the sunset from 5 years to 2 years does absolutely nothing to improve the bill.

Ultimately, this legislation should only move forward if it contains an amendment to mandate that the intelligence community obtain a probable cause warrant before they search the 702 database for Americans' private communications.

Some of my colleagues appear confused about how 702 collection works and what we mean when supporters of a warrant requirement refer to ''backdoor searches'' for U.S. person information. Let's be clear about what we are talking about.

FISA section 702 permits the intelligence community to sweep up the communication of foreign targets located overseas. When these communications are obtained, they go into what is known as a 702 database where all the 702 data is housed.

If the U.S. Government wants to target a U.S. person for foreign surveillance, U.S. person meaning an American or legal permanent resident, they already can. They do this by getting a warrant under title I of FISA, a separate and distinct part of FISA from section 702. The government cannot target Americans under 702 because 702 does not protect the constitutional rights of the targets of the surveillance. Foreigners not located on U.S. soil do not have constitutional rights, so this is not a problem.

What is a problem, however, is that massive amounts of Americans' communications are still swept up in 702 searches. If a U.S. person communicates with a foreign target, that American's communications with the target end up in the 702 database, too. While we do not know precise numbers, we know that a vast amount of Americans' communications is swept up every year.

The intelligence community is not supposed to search the 702 database for U.S. person identifiers, like our names, phone numbers, and addresses without cause. Searching for Americans' private communications in the 702 database, communications the government otherwise would not have access to without a warrant, is the constitutional equivalent of conducting a warrantless search.

We know that the government breaks this law all the time—278,000 times, in fact, at last count in 2021 alone. Officials are supposed to find it reasonably likely that a query will turn up evidence of a crime or foreign intelligence information, but that did not stop them from searching for protesters, politicians, and political donors, to name a few, without proper predicate.

Because of these repeated violations, Chairman JORDAN and I agree that the only way to preserve Americans' privacy and constitutional rights is to require the intelligence community to obtain a probable cause warrant when they want to search the communications of Americans housed in the 702 database. This is a basic tenet of the Fourth Amendment.

Now, Chairman TURNER stated incorrectly that the proposed warrant requirement gives constitutional rights to suspected terrorists abroad. Nonsense. The warrant requirement does not change any aspect of surveillance of valid targets under section 702, nor should it. The problem is that when we surveil the internet, we sweep up massive amounts of U.S. person information, and the warrant requirement we propose would apply the Fourth Amendment to that information—nothing more, and our Constitution demands nothing less.

We have repeatedly heard some of our colleagues tell us that the sky is falling; that a probable cause requirement would end U.S. person searches of the 702 database, but there are no facts to back up these claims.

We will be considering an amendment today to add a warrant requirement for U.S. person searches of the 702 database. This essential amendment makes exceptions for victim consent, cybersecurity cases, and exigencies, that is, emergencies. Thus, the vast majority of these searches can continue without a warrant, but for the small percentage of searches of Americans' communications that would be affected, the government should have probable cause to search their communications.

It is simply unfair to ask the intelligence community to both zealously protect our security while also protecting the constitutional rights of those surveilled. America's system of checks and balances exist precisely for cases such as this, where two considerations must coexist at odds with one another.

For too long, FISA section 702 has enabled the surveillance of Americans without adequate safeguards to protect our civil liberties. Americans need Congress to enact these guardrails, and with section 702 expiring soon, we have a rare opportunity to protect Americans' privacy while giving enforcement the tools they need to keep us safe.

Mr. Chair, I encourage my colleagues to vote ''no'' on this legislation unless a probable cause warrant is adopted, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), my friend and a member of the Judiciary Committee.

Mr. MCCLINTOCK. Mr. Chair, I don't discount the mounting dangers we face from enemies abroad, but we also cannot discount the dangers we face at home from the very powers that this bill would continue.

As has been pointed out, the FBI abused these powers 278,000 times in a single year and turned them against American citizens by phishing for January 6th and Black Lives Matter rioters, probing political donors, and even piercing congressional offices.

John Adams believed that the indiscriminate searches by British officials became the first spark of the American Revolution. Having lived under such a tyranny, the Founders protected us with the Fourth Amendment. Before authorities can search through our records, they have to get a warrant from an independent judge by showing probable cause to suspect that we have committed a crime.

Now, there are many excellent reforms in this bill, and I applaud them, but they largely depend on these agencies policing themselves, and experience warns us that is just not enough. Without a warrant requirement, I fear these powers will, once again, be turned against our fundamental liberties and these days that scares me as much as a terrorist attack.

□ 1030

Just imagine how much safer we would all be if we stationed a soldier in every house, but we have the Third Amendment to protect us against that tyranny, just as we have a Fourth Amendment to protect us against the tyranny of indiscriminate searches.

Benjamin Franklin's warning echoes from his age to ours today: ''Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.'' Let that not be history's judgment of us.

Mr. NADLER. Mr. Chair, I yield 3 minutes to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Chair, we have a critical opportunity today to stand up for the civil liberties that are enshrined in our Constitution while also safeguarding our national security.

Every single day, the FBI conducts an average of 500 warrantless searches of Americans' private communications, resulting in over 278,000 searches in 1 year alone. The FBI has invaded the privacy of Members of Congress, a State court judge who reported civil rights violations by a local police chief, Black Lives Matter protesters, and more.

We cannot pass this bill without additional protections, like my amendment with Representatives BIGGS, NADLER, JORDAN, LOFGREN, and DAVIDSON, to close the backdoor search loophole.

Unfortunately, there are some members of the intelligence community and some Members of this body who are circulating information that simply is not correct, and I need to correct the record right here. Some Members have implied that the Privacy and Civil Liberties Oversight Board does not support the amendment.

To counter that, let me share some quotes from Sharon Bradford Franklin in her personal capacity as Chair of the Privacy and Civil Liberties Oversight Board, the independent government agency tasked with ensuring the executive branch conducts national security work in a way that protects our civil liberties and privacy. She said:

It is critical that in reauthorizing section 702, Congress includes a warrant requirement for U.S. person queries.

Requiring a warrant for U.S. person queries would neither end U.S. person queries nor undermine the overall value of section 702.

Outside of the category of ''victim queries,'' the FBI has not been able to identify any cases in which a section 702 U.S. person query provided unique value in advancing a criminal investigation. In addition, the government has been unable to identify a single criminal prosecution that relied on evidence identified through a U.S. person query.

The warrant requirement contained in the warrant amendment includes important exceptions that would address the government's concerns about slowing down the process for U.S. person queries. Exceptions are provided for exigent circumstances, consent, cybersecurity, and metadata-only queries.

Mr. Chair, let me be clear that the Privacy and Civil Liberties Oversight Board, in its oversight capacity, has the same access to all the classified intelligence that the agencies cite when they try to scare us into reauthorizing FISA with minimal changes.

We have a bipartisan amendment that would fix this problem. We have a responsibility to stand up for civil liberties of our constituents. We cannot pass this bill without requiring intelligence agencies to ensure that Americans' privacy rights are upheld at every turn.

Mr. JORDAN. Mr. Chair, I yield myself such time as I may consume.

Before yielding to my good friend, I just want to underscore what the gentlewoman from Washington just described. The Privacy and Civil Liberties Oversight Board, created by the 9/11 Commission Act of 2007, says that our amendment is consistent with what should happen. Our amendment is consistent with the majority recommendation of that board.

This was a board specifically created to protect Americans' liberties, looking at how the intelligence community operates by the 9/11 Commission Act of 2007. The majority of that board said this amendment is what needs to happen.

Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. VAN DREW), a member of our committee.

Mr. VAN DREW. Mr. Chair, you just heard the words of Benjamin Franklin from my good friend TOM MCCLINTOCK, that those who would give up freedom for safety deserve neither. I hope that we aren't marked in history as the generation of Congress that was willing to give up American liberty and freedom. It is what we stood for. It is what we have worked for. It is what the men and women of this country have died for. We owe it to them. It is our most important right as Americans. It is what the United States of America represents.

We were told all this before. We were told in the last renewal of section 702 that everything was going to be okay, no worries, all the security was there, nothing to be concerned about, don't look here.

Then we saw what happened. We saw that political campaigns and donors were gone after. We saw that Members of Congress were investigated. We saw that journalists were investigated. We saw that individuals who were Libertarians or liberals or conservatives were investigated. We saw FBI agents' own coworkers and even their exgirlfriends and others were investigated. The average man and woman in America were investigated.

It was wrong. It occurred not dozens, not hundreds, not thousands, but, over that time period, millions of times, millions of illegal queries.

I cannot support, and I will not support, this legislation unless there is a major change in the form of an amendment that would require what we know needs to be done: a search warrant. It is a basic American right.

Don't let them scare you. It doesn't mean that we are not going to go after terrorists. It doesn't mean that we won't protect the United States of America.

While I finally wrap up here, if this bill is so good the way it is written, why do we exempt Members of Congress? Do you know why? It is because they are scared that they may still at the end of the day go after us.

It is wrong. Rules for thee, not for me. We should not stand for it.

Mr. NADLER. Mr. Chair, I yield 4 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime and

Federal Government Surveillance Subcommittee.

Ms. JACKSON LEE. Mr. Chair, I thank the distinguished ranking member of the Judiciary Committee and the chairman of the Judiciary Committee.

Even in this time of 2024, we need this legislation to protect now one of the most revered civil rights leaders, Dr. Martin Luther King. Yes, we need legislation that would, in fact, protect someone who simply wanted to provide justice to this Nation. He was the subject of COINTELPRO, a distorted investigation of his family, his belongings, his extended family members, and his wife, who I think at the time was expecting.

This legislation is important to save lives. It is important legislation to ensure that our intelligence community, our law enforcement community, can do their jobs, but it is not legislation that should be utilized to abuse the American people.

I rise today to speak of the concerns on H.R. 7888. It is a bipartisan bill to reauthorize an essential intelligence authority, section 702 of the Foreign Intelligence Surveillance Act, FISA, and other FISA provisions before they would expire on April 19. In doing so, we find ourselves being subject to the eye of the knife, if you will, in penetrating the personal matters of individuals that have no desire to do harm to this country.

As we know all too well, expiration of 702 authorities would deprive our Federal Government of the necessary insight into precisely the threats Americans expect their government to identify and counter. We understand that, as highlighted and emphasized through Federal administration, if we lose 702, we lose vital protections to the United States and its allies from hostile foreign adversaries, including terrorists, proliferators, and spies, and to inform cybersecurity efforts.

We are also acutely aware that 702 is an extremely controversial, warrantless surveillance authority that must not be reauthorized without substantial reform to rein in warrantless surveillance of Americans. We simply cannot do that. Indeed, warrantless surveillance intended for non-American targets located abroad inevitably has resulted in the collection and capture of Americans' communications and, yes, the results of capturing information that safeguards the American people and provides us with a safety net that we can fight for justice, fight for civil rights, and yet be protected.

It is no secret that intelligence agencies have turned section 702 into a domestic spying tool used to perform hundreds of thousands of warrantless backdoor searches for Americans' private phone calls, emails, and text messages.

By the way, Mr. Chair, we have a whole new world of technology where you can probe every aspect of our lives. These searches have included shocking abuses, including against civil rights leaders, protesters, Members of Congress, 19,000 donors to congressional campaigns, political parties.

Mr. Chair, I rise today to speak on H .R. 7888—Reforming Intelligence and Securing America Act (RISAA), a bipartisan bill to reauthorize an essential intelligence authority, Section 702 of the Foreign Intelligence Surveillance Act (''FISA''), and other FISA provisions before they would expire on April 19, 2024.

As we know all too well, expiration of Section 702 authorities would deprive our federal government of the necessary insight into precisely the threats Americans expect their government to identify and counter.

As highlighted and emphasized through federal administration, if we lost 702, we would lose vital protections to the United States and its allies from hostile foreign adversaries, including terrorists, proliferators, and spies, and to inform cybersecurity efforts.

We also are acutely aware, that Section 702 is an extremely controversial warrantless surveillance authority that must not be reauthorized without substantial reform to rein in warrantless surveillance of Americans.

Indeed, warrantless surveillance intended for non-American targets located abroad ''inevitably'' has resulted in the collection and capture of Americans' communications, too.

And it is no secret that intelligence agencies have turned Section 702 into a domestic spying tool, using it to perform hundreds of thousands of warrantless ''backdoor'' searches for Americans' private phone calls, e-mails, and text messages every year.

Yes, these searches have included shocking abuses, including baseless searches for the communications of Black Lives Matter protesters, members of Congress, 19,000 donors to a congressional campaign, a local political party, and tens of thousands of people involved in ''civil unrest.''

To protect the American people, we need to maintain the vital collection authority as intended to protect our nation and national security, while at the same time strengthening its protective guardrails with the most robust set of reforms ever included in legislation to reauthorize Section 702.

Importantly, H.R. 7888, as amended here today provides several critically needed reforms—including a fix to the backdoor search loophole and a prohibition on the ''abouts'' collection provision, and ultimately seeks to accomplish the necessary balancing we seek for national security protections and the protection of American's privacy rights.

To protect the American people, we need to maintain the vital collection authority as intended to protect our Nation and national security. We must do that while at the same time strengthening its protective guardrails with the most robust set, if you will, of protection that we possibly can.

That is why I have joined with several Members, including Mr. CLINE, to offer the ''abouts'' amendment. We will offer that as one of the Judiciary three. This amendment does something Congress should have done 7 years ago, prohibit the government from resuming ''abouts'' collection, a form of section 702 that poses unique risks to Americans. ''Abouts'' collection is a collection of communications that are neither to nor from an approved target of surveillance—can you imagine?—under section 702 of FISA but merely contain information related to the target.

The CHAIR. The time of the gentlewoman has expired.

Mr. NADLER. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, it is unbelievable that we would go after innocent Americans and Members of Congress in the random searching and fishing of information that may not be relevant. In the past, ''abouts'' collection focused on collecting communications that include a target's email address, phone number, or Twitter handle or something like that, but in theory, ''abouts'' collection could be used to collect emails that merely mention a person who is a target of section 702 surveillance.

Mr. Chair, I rise today to indicate that we cannot pass this legislation without these vital amendments and that we cannot pass this legislation without the American people believing that when they pledge allegiance to the flag of the United States of America, they are pledging allegiance to civil liberties, freedom, and justice and equality for all. I rise to support these amendments and as well a free nation with democracy and liberty for all.

Mr. Chair, I include in the RECORD a list of groups who support this amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 12, 2024.

DEAR COLLEAGUE: Please join us in supporting our amendment to H.R. 7888, the Reforming Intelligence and Securing America Act. Rules Amendment #5 would end what is known as ''abouts'' collection, which involves the capturing of massive amounts of communications by government agencies such as the National Security Agency (NSA) in which the selector, for example, an email address, of a target appears somewhere in communications, even if that target is not a party to the communications. It has long been controversial.

The FISA Court previously discovered that the government had misrepresented its activities and held that handling this type of data was of significant concern and a violation of the Fourth Amendment. Although the NSA abandoned the practice of ''abouts'' collection in 2017, Congress in 2018 amended FISA to prohibit this type of collection unless the AG and DNI notify the House and Senate Intelligence and Judiciary Committees of its plans to resume such collection. But that only means that if the NSA notifies Congress, they can resume ''abouts'' collection at any time. Our amendment would proactively end the practice for good.

The following groups support this important amendment:

FreedomWorks—Key Vote; Due Process Institute; Americans for Prosperity; Project for Privacy and Surveillance Accountability; Reform Government Surveillance; Center for Democracy and Technology; American Civil Liberties Union; Electronic Privacy Information Center (EPIC); Restore the Fourth; Defending Rights & Dissent; Brennan Center for Justice; Wikimedia Foundation.

Demand Progress; Electronic Frontier Foundation; Project on Government Oversight; United We Dream; Asian Americans

Advancing Justice; Muslim Advocates; Free Press Action; National Association of Criminal Defense Lawyers; Freedom of the Press Foundation; New America's Open Technology Institute; Fight for the Future; Stop AAPI Hate.

We urge you to vote in favor of Amendment #5.

Sincerely,

BEN CLINE,
Member of Congress.
SHEILA JACKSON LEE,
Member of Congress.

Ms. JACKSON LEE. Mr. Chair,

I rise today in support of the Cline (VA)/Jackson Lee (TX) Amendment [#3] to H.R. 7888—Reforming Intelligence and Securing America Act (RISAA).

This amendment does something Congress should have done seven years ago: prohibit the government from resuming ''abouts'' collection, a form of Section 702 surveillance that poses unique risks to Americans.

''Abouts'' collection is the collection of communications that are neither To nor From an approved target of surveillance under Section 702 of the Foreign Intelligence Surveillance Act (FISA), but merely contain information relating to that target.

In the past, ''abouts'' collection focused on collecting communications that include a target's email address, or phone address, or Twitter handle, or something like that. But in theory, ''abouts'' collection could be used to collect emails that merely mention a person who is a target of Section 702 surveillance.

Nothing in the text or legislative history of Section 702 indicates that this type of surveillance is authorized.

Under Section 702, the surveillance must target a non-U.S. person outside the United States. The term ''target'' has a well-understood meaning. When a person is a target, it means the government can collect that person's information or other data, not the communications or data of other individuals.

As we all know, ''abouts'' collection under Section 702 has a sordid history.

The National Security Agency (NSA) used ''abouts'' collection when it was conducting upstream surveillance, in other words, when it was intercepting communications directly as they transited over the Internet backbone, rather than collecting stored communications from service providers.

Not surprisingly, this practice resulted in the collection of tens of thousands of purely domestic communications—communications between and among Americans inside the United States.

Moreover, often these Americans were not even discussing the target. Instead, their communications were lumped in with other communications, transiting over the Internet backbone as a packet. The NSA was collecting the entire packet of communications, simply because somewhere in that packet was a reference to information about a target.

This was a problem from the moment Section 702 went into effect in 2008. And yet for years, the government did not disclose this problem to the FISA Court.

To the contrary, the government affirmatively misrepresented how the program was working. It was not until 2011 that the court learned the government was sweeping in tens of thousands of purely domestic communications.

The court was livid. It noted that the belated disclosure, and I quote, ''marks the third instance in less than three years in which the government has disclosed a substantial misrepresentation regarding the scope of a major collection program.''

At the time, the court chose not to prohibit the use of ''abouts'' collection. But it held that special minimization rules were required for upstream communications, and that without those rules, the program would violate both Section 702 and the Fourth Amendment. One of those rules was a prohibition on U.S. person queries of communications obtained through upstream surveillance.

Five years later, the NSA discovered that its agents had been routinely violating this prohibition. But rather than immediately report these violations to the FISA Court, the NSA waited for several months. When it finally admitted the violations, the FISA Court chastised the NSA for its ''institutional lack of candor,'' and refused to approve the continuation of Section 702 surveillance until the NSA cleaned up its act.

The NSA proved incapable of bringing its agents into compliance. The agents continued to routinely search though the upstream data in an effort to find and review Americans' communications, in violation of Section 702, the Fourth Amendment, and the FISA Court's orders. Well aware that the court would not continue to approve Section 702 surveillance under these conditions, the NSA, in 2017, made the only decision it could: it terminated ''abouts'' collection.

Well, it has now been seven years since the NSA stopped ''abouts'' collection, and the government has not claimed that ending this practice has resulted in a loss of critical intelligence or had any other kind of negative impact on national security. No official has pointed to a single bad result that could have been averted through the use of ''abouts'' collection.

Collecting communications that are neither to nor from an approved target of surveillance is contrary to the text and intent of Section 702.

It inevitably results in the collection of wholly domestic communications, which Section 702 expressly prohibits.

Over the course of a decade, the NSA proved that it was incapable of operating ''abouts'' surveillance responsibly and in accordance with the law—and the past seven years shown that ''abouts'' collection is not necessary for national security.

It is time for Congress to shut the door on ''abouts'' collection.

In the future, if the government can show that it needs ''abouts'' collection for national security purposes and that it can operate the program without violating the law and the Fourth Amendment, it can come to Congress and ask for authorization. But the burden should be on the government to show the need and the ability to lawfully conduct the program.

For these reasons, I urge my colleagues to vote in favor of the Cline/Jackson Lee Amendment [#3].

Mr. JORDAN. Mr. Chair, I yield 2 minutes to the gentleman from the great State of Texas (Mr. SELF), my friend and colleague.

Mr. SELF. Mr. Chair, it appears that the House of Representatives is experiencing a constitutional crisis of conscience. We are actually debating if a warrant should be required for government intelligence agencies to spy on Americans. Frankly, I am stunned this is even called into question, especially amongst my Republican colleagues.

The Constitution is absolutely clear. We, as Americans, have the right under the Fourth Amendment against unreasonable search and seizures, a right that the FBI has violated in over 278,000 improper searches of Americans and 3.4 million warrantless queries of Americans' private communications.

These facts are not up for debate. We know this. They have been caught. If we do not pass this warrant requirement, especially in light of these facts, the continued victimization of Americans by the FBI through FISA section 702 will be legitimized.

As an Army officer, as a county judge, and now as a Member of Congress, for 40 years I have been under oath to defend the Constitution against all enemies. I will do so today. On behalf of over 800,000 of my constituents in Texas District Three: Get a warrant.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I yield 2 minutes to the gentleman from Wisconsin (Mr. FITZGERALD), a Judiciary Committee member and friend.

Mr. FITZGERALD. Mr. Chair, the debate today is really focused on whether or not the FBI should be required to obtain a warrant to access U.S. person data. As the quote we are all familiar with says, insanity is doing the same thing over and over again and expecting different results.

I remind my colleagues of the debate on the previous FISA reauthorization bill in the 115th Congress. Many of my current and former colleagues stood behind this very podium and swore up and down that the FISA Amendments Act of 2017 would provide necessary protections for U.S. person information while keeping our country safe.

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Yet, since the bill became law, there were nearly 3 million U.S. person queries just in 2021 and hundreds of incomplete FISA applications and the use of section 702 to query data on Members

of Congress, protestors, and even FBI janitors.

It appears to me that the factor that continues to fall by the wayside in all of the debates that are happening is that human nature plays a part.

Mr. Chair, that is the dilemma that we find ourselves in. We didn't pick this. This is where we ended up.

Do we allow human nature to take its course and permit the FBI to continue to abuse U.S. person data, which the Department of Justice IG Special Counsel Durham, the FISA court, and numerous independent review bodies have found to be negligent, inappropriate, and a threat to American privacy, or do we rein in the FBI and fight for our Fourth Amendment rights?

I choose to side with the latter and support the amendments that limit rather than expand the FBI's ability to query U.S. person data.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, the suggestion has been made that the warrant requirement is extreme. Let's be clear: There is nothing extreme about this idea.

Over a decade ago, a group of intelligence experts convened by President Obama unanimously recommended requiring a warrant for U.S. person queries of section 702 data. That group included Michael Morell, former Acting Director of the CIA and Richard Clarke, former Chief Counterterrorism Adviser to President George W. Bush.

These top national security officials understood that we can protect national security while respecting the Fourth Amendment rights of Americans.

The House of Representatives has twice passed amendments with a warrant requirement for backdoor searches by large bipartisan majorities. Some of my colleagues who spoke against this amendment today, including former Speaker PELOSI, have voted more than once for this reform.

Over 75 percent of Americans support this reform. Calling something extreme doesn't make it extreme, and this is an idea that has been in the mainstream for over a decade.

Mr. Chair, I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield myself the balance of my time.

Chairman JORDAN and I agree on very little, but we are united in our belief that adding a warrant requirement to section 702 is absolutely necessary before we consider supporting reauthorization of these authorities.

I will reserve judgment on final passage of this bill until we see what amendments pass, but I urge Members to join us in supporting real reform. Real reform means, at the minimum, the warrant requirement to give effect to Americans' constitutional rights.

Mr. Chair, I yield back the balance of my time.

Mr. JORDAN. Mr. Chairman, I yield myself the balance of my time.

I think the ranking member is right. The vote was 35–2 on a major piece of legislation. That doesn't happen a whole lot in our committee.

I thank our committee and I thank the Members on the Republican side who worked so hard over the last year putting this legislation together. We had three individuals in particular, Ms. LEE, Mr. BIGGS, and Mr. MCCLINTOCK, who served on a task force focused on this getting in right. I think they have a good product if, as the ranking member just said, the warrant amendment is actually adopted into the base text.

I also thank the Democrats who worked so hard, and their staff working with our good staff, on putting this together: Ranking Member NADLER, Ms. JAYAPAL, and several others working together to defend a fundamental principle.

The Judiciary Committee is supposed to be that—we are all supposed to do this, but where it is really focused is the Judiciary Committee is supposed to be that committee that is determined to make sure Americans' liberties are protected. I think the staff and the Members have worked hard to put together a product that will do that if, in fact, this amendment gets added here in a few minutes.

When the folks who started this country came together, they had it right when they created separate and equal branches of government. The checks and balances in our system are good. They protect our rights, our liberties, and key principles.

We should adhere to that. As I said earlier, it has served us well. This amendment follows that fundamental principal, so I hope we adopt it. Then if we adopt it, I hope we adopt the legislation.

Mr. Chair, I yield back the balance of my time.

Mr. CARSON. Mr Chair, today I rise in support of H.R. 7888, Reforming Intelligence and Securing America Act, to reauthorize the Foreign Intelligence Surveillance Act (FISA). As someone who has worked in law enforcement and served the intelligence community for many years, I feel strongly that the FISA Authority, including Section 702, must not be allowed to lapse. This could pose a grave danger to our national security. I believe the changes and reforms included in this bill will protect our safety while also preserving our civil liberties.

I voted in the Intelligence Committee to reauthorize this vital legislation because I believe it represents a solid bipartisan approach. The bill includes reforms I fought for, and I believe it strikes the proper balance of protecting our national security in a way that is consistent with our American values. We know the FISA authority has been abused in the past, and that is unacceptable. That's why the reforms included in this bill are essential.

Provisions I recommended in the bill prevent individuals from being unfairly targeted based on race, religion, gender, sexual orientation, or ethnicity by preventing the search of a person's name simply based on those factors. As a Black, Muslim man who has been the victim of profiling, this was personal for me—and I'm glad language to codify these essential protections is included in today's bill.

It's disappointing that some of my colleagues and dedicated advocates have described our Intelligence Committee bill as fake reform, or a sham. That's not the case. Our committee's bill prohibits agencies from conducting a query for the purpose of suppressing political speech, reinforcing one of the most American liberties there is: the right to free speech.

Finally, the bill improves and codifies accountability for the FBI in particular and prevents future abuses.

This is not the end of our work to protect Americans' civil liberties in U.S. intelligence, but this program is too important for our national security to allow it to expire or experience any lapses. I urge all of my colleagues to support this bill.

The Acting CHAIR (Mr. DESJARLAIS). All time for general debate has expired.

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–27, shall be considered as adopted, and the bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended is as follows:

H.R. 7888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Reforming Intelligence and Securing America Act''.

SEC. 2. QUERY PROCEDURE REFORM.

(a) STRICTLY LIMITING FEDERAL BUREAU OF INVESTIGATION PERSONNEL AUTHORIZING UNITED STATES PERSON QUERIES.—Subsection (f) of section 702 is amended—

(1) by redesignating paragraph (3) as paragraph (5); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) RESTRICTIONS IMPOSED ON FEDERAL BUREAU OF INVESTIGATION.—

''(A) LIMITS ON AUTHORIZATIONS OF UNITED STATES PERSON QUERIES.—

''(i) IN GENERAL.—Federal Bureau of Investigation personnel must obtain prior approval from a Federal Bureau of Investigation supervisor (or employee of equivalent or greater rank) or attorney who is authorized to access unminimized contents or noncontents obtained through acquisitions authorized under subsection (a) for any query of such unminimized contents or noncontents made using a United States person query term.

''(ii) EXCEPTION.—A United States person query to be conducted by the Federal Bureau of Investigation of unminimized contents or noncontents obtained through acquisitions authorized under subsection (a) using a United States person query term may be conducted without obtaining prior approval as specified in clause (i) only if the person conducting the United States person query has a reasonable belief that conducting the query could assist in mitigating or eliminating a threat to life or serious bodily harm.''.

(b) PROHIBITION ON INVOLVEMENT OF POLITICAL APPOINTEES IN PROCESS TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—Subparagraph (D) of section 702(f)(3), as added by subsection (d) of this section, is amended by inserting after clause (v) the following:

''(vi) PROHIBITION ON POLITICAL APPOINTEES WITHIN THE PROCESS TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—The procedures shall prohibit any political personnel, such as those classified by the Office of Personnel Management as Presidential Appointment with Senate Confirmation, Presidential Appointment (without Senate Confirmation), Noncareer Senior Executive Service Appointment, or Schedule C Excepted Appointment, from inclusion in the Federal Bureau of Investigation's prior approval process under clause (ii).''.

(c) MANDATORY AUDITS OF UNITED STATES PERSON QUERIES CONDUCTED BY FEDERAL BUREAU OF INVESTIGATION.—

(1) AUDITS REQUIRED.—For each query identified by the Federal Bureau of Investigation as a United States person query against information acquired pursuant to subsection (a) of section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) conducted by the Federal Bureau of Investigation, not later than 180 days after the conduct of such query, the Department of Justice shall conduct an audit of such query.

(2) APPLICABILITY.—The requirement under paragraph (1) shall apply with respect to queries conducted on or after the date of the enactment of this Act.

(3) SUNSET.—This section shall terminate on the earlier of the following:

(A) The date that is 2 years after the date of the enactment of this Act.

(B) The date on which the Attorney General submits to the appropriate congressional committees a certification that the Federal Bureau of Investigation has implemented a process for the internal audit of all queries referred to in paragraph (1).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees, as such term is defined in subsection (b) of section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881); and

(B) the Committees on the Judiciary of the House of Representatives and of the Senate.

(d) RESTRICTIONS RELATING TO CONDUCT OF CERTAIN QUERIES BY FEDERAL BUREAU OF INVESTIGATION.—Paragraph (3) of section 702(f), as added by subsection (a)(2) of this section, is amended by adding after subparagraph (C), as added by subsection (f) of this section, the following:

''(D) QUERYING PROCEDURES APPLICABLE TO FEDERAL BUREAU OF INVESTIGATION.—For any procedures adopted under paragraph (1) applicable to the Federal Bureau of Investigation, the Attorney General, in consultation with the Director of National Intelligence, shall include the following requirements:

''(i) TRAINING.—A requirement that, prior to conducting any query, personnel of the Federal Bureau of Investigation successfully complete training on the querying procedures on an annual basis.

''(ii) ADDITIONAL PRIOR APPROVALS FOR SENSITIVE QUERIES.—A requirement that, absent exigent circumstances, prior to conducting certain queries, personnel of the Federal Bureau of Investigation receive approval, at minimum, as follows:

''(I) Approval from the Deputy Director of the Federal Bureau of Investigation if the query uses a query term reasonably believed to identify a United States elected official, an appointee of the President or a State governor, a United States political candidate, a United States political organization or a United States person prominent in such organization, or a United States media organization or a United States person who is a member of such organization.

''(II) Approval from an attorney of the Federal Bureau of Investigation if the query uses a query term reasonably believed to identify a United States religious organization or a United States person who is prominent in such organization.

''(III) Approval from an attorney of the Federal Bureau of Investigation if such conduct involves batch job technology (or successor tool).

''(iii) PRIOR WRITTEN JUSTIFICATION.—A requirement that, prior to conducting a query using a United States person query term, personnel of the Federal Bureau of Investigation provide a written statement of the specific factual basis to support the reasonable belief that such query meets the standards required by the procedures adopted under paragraph (1). For each United States person query, the Federal Bureau of Investigation shall keep a record of the query term, the date of the conduct of the query, the identifier of the personnel conducting the query, and such written statement.

''(iv) STORAGE OF CERTAIN CONTENTS AND NONCONTENTS.—Any system of the Federal Bureau of Investigation that stores unminimized contents or noncontents obtained through acquisitions authorized under subsection (a) together with contents or noncontents obtained through other lawful means shall be configured in a manner that—

''(I) requires personnel of the Federal Bureau of Investigation to affirmatively elect to include such unminimized contents or noncontents obtained through acquisitions authorized under subsection (a) when running a query; or

''(II) includes other controls reasonably expected to prevent inadvertent queries of such unminimized contents or noncontents.

''(v) WAIVER AUTHORITY FOR FOREIGN INTELLIGENCE SURVEILLANCE COURT.—If the Foreign Intelligence Surveillance Court finds that the procedures adopted under paragraph (1) include measures that are reasonably expected to result in similar compliance outcomes as the measures specified in clauses (i) through (iv) of this subparagraph, the Foreign Intelligence Surveillance Court may waive one or more of the requirements specified in such clauses.''.

(e) NOTIFICATION FOR CERTAIN QUERIES CONDUCTED BY FEDERAL BUREAU OF INVESTIGATION.—Paragraph (3) of section 702(f), as added by subsection (a) of this section, is amended by adding at the end the following:

''(B) NOTIFICATION REQUIREMENT FOR CERTAIN FBI QUERIES.—

''(i) REQUIREMENT.—The Director of the Federal Bureau of Investigation shall promptly notify appropriate congressional leadership of any query conducted by the Federal Bureau of Investigation using a query term that is reasonably believed to be the name or other personally identifying information of a member of Congress, and shall also notify the member who is the subject of such query.

''(ii) APPROPRIATE CONGRESSIONAL LEADERSHIP DEFINED.—In this subparagraph, the term 'appropriate congressional leadership' means the following:

''(I) The chairs and ranking minority members of the congressional intelligence committees.

''(II) The Speaker and minority leader of the House of Representatives.

''(III) The majority and minority leaders of the Senate.

''(iii) NATIONAL SECURITY CONSIDERATIONS.—In submitting a notification under clause (i), the Director shall give due regard to the protection of classified information, sources and methods, and national security.

''(iv) WAIVER.—

''(I) IN GENERAL.—The Director may waive a notification required under clause (i) if the Director determines such notification would impede an ongoing national security or law enforcement investigation.

''(II) TERMINATION.—A waiver under subclause (I) shall terminate on the date the Director determines the relevant notification would not impede the relevant national security or law enforcement investigation or on the date that such investigation ends, whichever is earlier.''.

(f) REQUIREMENT FOR CONGRESSIONAL CONSENT PRIOR TO CERTAIN FEDERAL BUREAU OF INVESTIGATION QUERIES FOR PURPOSE OF DEFENSIVE BRIEFINGS.—Paragraph (3) of section 702(f), as added by subsection (a) of this section, is amended by adding after subparagraph (B), as added by subsection (e) of this section, the following:

''(C) CONSENT REQUIRED FOR FBI TO CONDUCT CERTAIN QUERIES FOR PURPOSE OF DEFENSIVE BRIEFING.—

''(i) CONSENT REQUIRED.—The Federal Bureau of Investigation may not, for the exclusive purpose of supplementing the contents of a briefing on the defense against a counterintelligence threat to a member of Congress, conduct a query using a query term that is the name or restricted personal information (as such term is defined in section 119 of title 18, United States Code) of that member unless—

''(I) the member provides consent to the use of the query term; or

''(II) the Deputy Director of the Federal Bureau of Investigation determines that exigent circumstances exist sufficient to justify the conduct of such query.

''(ii) NOTIFICATION.—

''(I) NOTIFICATION OF CONSENT SOUGHT.—Not later than three business days after submitting a request for consent from a member of Congress under clause (i), the Director of the Federal Bureau of Investigation shall notify the appropriate congressional leadership, regardless of whether the member provided such consent.

''(II) NOTIFICATION OF EXCEPTION USED.—Not later than three business days after the conduct of a query under clause (i) without consent on the basis of the existence of exigent circumstances determined under subclause (II) of such clause, the Director of the Federal Bureau of Investigation shall notify the appropriate congressional leadership.

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be construed as—

''(I) applying to matters outside of the scope of the briefing on the defense against a counterintelligence threat to be provided or supplemented under clause (i); or

''(II) limiting the lawful investigative activities of the Federal Bureau of Investigation other than supplementing the contents of a briefing on the defense against a counterintelligence threat to a member of Congress.

''(iv) APPROPRIATE CONGRESSIONAL LEADERSHIP DEFINED.—In this subparagraph, the term 'appropriate congressional leadership' means the following:

''(I) The chairs and ranking minority members of the congressional intelligence committees.

''(II) The Speaker and minority leader of the House of Representatives.

''(III) The majority and minority leaders of the Senate.''.

SEC. 3. LIMITATION ON USE OF INFORMATION OBTAINED UNDER SECTION 702.

(a) REVOKING FEDERAL BUREAU OF INVESTIGATION AUTHORITY TO CONDUCT QUERIES UNRELATED TO NATIONAL SECURITY.—Subsection (f)(2) of section 702 is amended to read as follows:

''(2) PROHIBITION ON CONDUCT OF QUERIES THAT ARE SOLELY DESIGNED TO FIND AND EXTRACT EVIDENCE OF A CRIME.—

''(A) LIMITS ON AUTHORIZATIONS OF UNITED STATES PERSON QUERIES.—The querying procedures adopted pursuant to paragraph (1) for the Federal Bureau of Investigation shall prohibit queries of information acquired under subsection (a) that are solely designed to find and extract evidence of criminal activity.

''(B) EXCEPTIONS.—The restriction under subparagraph (A) shall not apply with respect to a query if—

''(i) there is a reasonable belief that such query may retrieve information that could assist in mitigating or eliminating a threat to life or serious bodily harm; or

''(ii) such query is necessary to identify information that must be produced or preserved in

connection with a litigation matter or to fulfill discovery obligations in criminal matters under the laws of the United States or any State thereof.''.

(b) RESTRICTION ON CERTAIN INFORMATION AVAILABLE TO FEDERAL BUREAU OF INVESTIGATION.—Section 702 is amended by adding at the end the following new subsection:

''(n) RESTRICTION ON CERTAIN INFORMATION AVAILABLE TO FEDERAL BUREAU OF INVESTIGATION.—

''(1) RESTRICTION.—The Federal Bureau of Investigation may not ingest unminimized information acquired under this section into its analytic repositories unless the targeted person is relevant to an existing, open, predicated full national security investigation by the Federal Bureau of Investigation.

''(2) EXCEPTION FOR EXIGENT CIRCUMSTANCES.—Paragraph (1) does not apply if the Director of the Federal Bureau of Investigation decides it is necessary due to exigent circumstances and provides notification within three business days to the congressional intelligence committees, the Speaker and minority leader of the House of Representatives, and the majority and minority leaders of the Senate.

''(3) EXCEPTION FOR ASSISTANCE TO OTHER AGENCIES.—Paragraph (1) does not apply where the Federal Bureau of Investigation has agreed to provide technical, analytical, or linguistic assistance at the request of another Federal agency.''.

SEC. 4. TARGETING DECISIONS UNDER SECTION 702.

(a) SENSE OF CONGRESS ON THE TARGETED COLLECTION OF UNITED STATES PERSON INFORMATION.—It is the sense of Congress that, as proscribed in section 702(b)(2), section 702 of the Foreign Intelligence Surveillance Act of 1978 has always prohibited, and continues to prohibit, the intelligence community from targeting a United States person for collection of foreign intelligence information. If the intelligence community intends to target a United States person for collection of foreign intelligence information under the Foreign Intelligence Surveillance Act of 1978, the Government must first obtain an individualized court order based upon a finding of probable cause that the United States person is a foreign power, an agent of a foreign power, or an officer or employee of a foreign power, in order to conduct surveillance targeting that United States person.

(b) ANNUAL AUDIT OF TARGETING DECISIONS UNDER SECTION 702.—

(1) MANDATORY REVIEW.—Not less frequently than annually, the Department of Justice National Security Division shall review each person targeted under section 702 of the Foreign Intelligence Surveillance Act of 1978 in the preceding year to ensure that the purpose of each targeting decision is not to target a known United States person. The results of this review shall be submitted to the Department of Justice Office of the Inspector General, the congressional intelligence committees, and the Committees on the Judiciary of the House of Representatives and of the Senate, subject to a declassification review.

(2) INSPECTOR GENERAL AUDIT.—Not less frequently than annually, the Department of Justice Office of the Inspector General shall audit a sampling of the targeting decisions reviewed by the National Security Division under paragraph (1) and submit a report to the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and of the Senate.

(3) CERTIFICATION.—Within 180 days of enactment of this Act, and annually thereafter, each agency authorized to target non-United States persons under section 702 shall certify to Congress that the purpose of each targeting decision made in the prior year was not to target a known United States person.

(4) APPLICATION.—The requirements under this subsection apply for any year to the extent that section 702 of the Foreign Intelligence Surveillance Act of 1978 was in effect during any portion of the previous year.

SEC. 5. FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORM.

(a) REQUIREMENT FOR SAME JUDGE TO HEAR EXTENSION APPLICATIONS.—Subsection (d) of section 105 is amended by adding at the end the following new paragraph:

''(5) An extension of an order issued under this title for surveillance targeted against a United States person, to the extent practicable and absent exigent circumstances, shall be granted or denied by the same judge who issued the original order unless the term of such judge has expired or such judge is otherwise no longer serving on the court.''.

(b) USE OF AMICI CURIAE IN FOREIGN INTELLIGENCE SURVEILLANCE COURT PROCEEDINGS.—Subsection (i) of section 103 is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clause (i) and (ii), respectively;

(B) by striking ''A court established'' and inserting the following subparagraph:

''(A) IN GENERAL.—A court established'';

(C) in subparagraph (A), as inserted by subparagraph (B) of this section—

(i) in clause (i), as so redesignated—

(I) by striking ''appoint an individual who has'' and inserting ''appoint one or more individuals who have''; and

(II) by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii), as so redesignated—

(I) by striking ''appoint an individual or organization'' and inserting ''appoint one or more individuals or organizations''; and

(II) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(iii) shall appoint one or more individuals who have been designated under paragraph (1) to serve as amicus curiae to assist such court in the consideration of any certification or procedures submitted for review pursuant to section 702, including any amendments to such certifications or procedures, if the court established under subsection (a) has not appointed an individual under clause (i) or (ii), unless the court issues a finding that such appointment is not appropriate or is likely to result in undue delay.''; and

(D) by adding at the end the following new subparagraphs:

''(B) EXPERTISE.—In appointing one or more individuals under subparagraph (A)(iii), the court shall, to the maximum extent practicable, appoint an individual who possesses expertise in both privacy and civil liberties and intelligence collection.

''(C) TIMING.—In the event that the court appoints one or more individuals or organizations pursuant to this paragraph to assist such court in a proceeding under section 702, notwithstanding subsection (j)(1)(B) of such section, the court shall issue an order pursuant to subsection (j)(3) of such section as expeditiously as possible consistent with subsection (k)(1) of such section, but in no event later than 60 days after the date on which such certification, procedures, or amendments are submitted for the court's review, or later than 60 days after the court has issued an order appointing one or more individuals pursuant to this paragraph, whichever is earlier, unless a judge of that court issues an order finding that extraordinary circumstances necessitate additional time for review and that such extension of time is consistent with the national security.''; and

(2) in paragraph (4)—

(A) by striking ''paragraph (2)(A)'' and inserting ''paragraph (2)'';

(B) by striking ''provide to the court, as appropriate'';

(C) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(D) by inserting before clause (i) the following new subparagraphs:

''(A) be limited to addressing the specific issues identified by the court; and

''(B) provide to the court, as appropriate—''; and

(E) in subparagraph (B)(i), as redesignated, by inserting ''of United States persons'' after ''civil liberties''.

(c) DESIGNATION OF COUNSEL TO SCRUTINIZE APPLICATIONS FOR UNITED STATES PERSONS.—Section 103 is amended by adding at the end the following new subsection:

''(l) DESIGNATION OF COUNSEL FOR CERTAIN APPLICATIONS.—To assist the court in the consideration of any application for an order pursuant to section 104 that targets a United States person, the presiding judge designated under subsection (a) shall designate one or more attorneys to review such applications, and provide a written analysis to the judge considering the application, of—

''(1) the sufficiency of the evidence used to make the probable cause determination under section 105(a)(2);

''(2) any material weaknesses, flaws, or other concerns in the application; and

''(3) a recommendation as to the following, which the judge shall consider during a proceeding on the application in which such attorney is present, as appropriate—

''(A) that the application should be approved, denied, or modified;

''(B) that the Government should supply additional information in connection with such application; or

''(C) that any requirements or conditions should be imposed on the Government for the approval of such application.''.

SEC. 6. APPLICATION FOR AN ORDER UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT.

(a) REQUIREMENT FOR SWORN STATEMENTS FOR FACTUAL ASSERTIONS.—

(1) TITLE I.—Subsection (a)(3) of section 104 is amended by striking ''a statement of'' and inserting ''a sworn statement of''.

(2) TITLE III.—Subsection (a)(3) of section 303 is amended by striking ''a statement of'' and inserting ''a sworn statement of''.

(3) SECTION 703.—Subsection (b)(1)(C) of section 703 is amended by striking ''a statement of'' and inserting ''a sworn statement of''.

(4) SECTION 704.—Subsection (b)(3) of section 704 is amended by striking ''a statement of'' and inserting ''a sworn statement of''.

(5) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(b) PROHIBITION ON USE OF POLITICALLY DERIVED INFORMATION IN APPLICATIONS FOR CERTAIN ORDERS BY THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—

(1) TITLE I.—Subsection (a)(6) of section 104 is amended—

(A) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (E)(ii), by striking the semicolon and inserting ''; and''; and

(C) by adding after subparagraph (E) the following new subparagraph:

''(F) that none of the information included in the statement described in paragraph (3) was solely produced by, derived from information produced by, or obtained using the funds of, a political organization (as such term is defined in section 527 of the Internal Revenue Code of 1986), unless—

''(i) the political organization is clearly identified in the body of the statement described in paragraph (3);

''(ii) the information has been corroborated; and

''(iii) the investigative techniques used to corroborate the information are clearly identified in the body of the statement described in paragraph (3); and''.

(2) TITLE III.—Subsection (a)(6) of section 303 is amended—

(A) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (E), by striking the semicolon and inserting ''; and''; and

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) that none of the information included in the statement described in paragraph (3) was solely produced by, derived from information produced by, or obtained using the funds of, a political organization (as such term is defined in section 527 of the Internal Revenue Code of 1986), unless—

''(i) the political organization is clearly identified in the body of the statement described in paragraph (3);

''(ii) the information has been corroborated; and

''(iii) the investigative techniques used to corroborate the information are clearly identified in the body of the statement described in paragraph (3); and''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(c) PROHIBITION ON USE OF PRESS REPORTS IN APPLICATIONS FOR CERTAIN ORDERS BY THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—

(1) TITLE I.—Subsection (a)(6) of section 104, as amended by this Act, is further amended by adding at the end the following new subparagraph:

''(G) that none of the information included in the statement described in paragraph (3) is attributable to or derived from the content of a media source unless the statement includes a clear identification of each author of that content, and where applicable, the publisher of that content, information to corroborate that which was derived from the media source, and an explanation of the investigative techniques used to corroborate the information;''.

(2) TITLE III.—Subsection (a)(6) of section 303, as amended by this Act, is further amended by adding at the end the following new subparagraph:

''(G) that none of the information included in the statement described in paragraph (3) is attributable to or derived from the content of a media source unless the statement includes a clear identification of each author of that content, where applicable, the publisher of that content, information to corroborate that which was derived from the media source, and an explanation of the investigative techniques used to corroborate the information;''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(d) DESCRIPTION OF TECHNIQUES CARRIED OUT BEFORE APPLICATION.—

(1) TITLE I.—Subsection (a) of section 104, as amended by this Act, is further amended—

(A) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(10) with respect to a target who is a United States person, a statement summarizing the investigative techniques carried out before making the application;''.

(2) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(e) REQUIREMENT FOR CERTAIN JUSTIFICATION PRIOR TO EXTENSION OF ORDERS.—

(1) APPLICATIONS FOR EXTENSION OF ORDERS UNDER TITLE I.—Subsection (a) of section 104, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(11) in the case of an application for an extension of an order under this title for a surveillance targeted against a United States person, a summary statement of the foreign intelligence information obtained pursuant to the original order (and any preceding extension thereof) as of the date of the application for the extension, or a reasonable explanation of the failure to obtain such information; and''.

(2) APPLICATIONS FOR EXTENSION OF ORDERS UNDER TITLE III.—Subsection (a) of section 303, as amended by this Act, is further amended—

(A) in paragraph (7), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraph:

''(9) in the case of an application for an extension of an order under this title in which the target of the physical search is a United States person, a summary statement of the foreign intelligence information obtained pursuant to the original order (and any preceding extension thereof) as of the date of the application for the extension, or a reasonable explanation of the failure to obtain such information; and''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(f) REQUIREMENT FOR JUSTIFICATION OF UNDERLYING CRIMINAL OFFENSE IN CERTAIN APPLICATIONS.—

(1) TITLE I.—Subsection (a)(3)(A) of section 104 is amended by inserting before the semicolon at the end the following: '', and, in the case of a target that is a United States person alleged to be acting as an agent of a foreign power (as described in section 101(b)(2)(B)), that a violation of the criminal statutes of the United States as referred to in section 101(b)(2)(B) has occurred or is about to occur''.

(2) TITLE III.—Subsection (a)(3)(A) of section 303 is amended by inserting before the semicolon at the end the following: '', and, in the case of a target that is a United States person alleged to be acting as an agent of a foreign power (as described in section 101(b)(2)(B)), that a violation of the criminal statutes of the United States as referred to in section 101(b)(2)(B) has occurred or is about to occur''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(g) MODIFICATION TO DURATION OF APPROVED PERIOD UNDER CERTAIN ORDERS FOR NON-UNITED STATES PERSONS.—

(1) TITLE I.—Subsection (d) of section 105 is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''against a foreign power, as defined in section 101(a), (1), (2), or (3),'' and inserting ''against a foreign power''; and

(ii) in subparagraph (B), by striking ''120 days'' and inserting ''one year''; and

(B) by striking paragraph (2); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) TITLE III.—Subsection (d) of section 304 is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''against a foreign power, as defined in paragraph (1), (2), or (3) of section 101(a),'' and inserting ''against a foreign power''; and

(ii) in subparagraph (B), by striking ''120 days'' and inserting ''one year''; and

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

SEC. 7. PUBLIC DISCLOSURE AND DECLASSIFICATION OF CERTAIN DOCUMENTS.

Subsection (a) of section 602 is amended by inserting after ''shall conduct a declassification review'' the following: '', to be concluded as soon as practicable, but not later than 180 days after the commencement of such review,''.

SEC. 8. TRANSCRIPTIONS OF PROCEEDINGS.

(a) REQUIREMENT FOR TRANSCRIPTS OF PROCEEDINGS.—Subsection (c) of section 103 is amended—

(1) by inserting '', and hearings shall be transcribed'' before the first period;

(2) by inserting '', transcriptions of hearings,'' after ''applications made''; and

(3) by adding at the end the following new sentence: ''Transcriptions and any related records, including testimony and affidavits, shall be stored in a file associated with the relevant application or order.''.

(b) REQUIREMENT FOR NOTIFICATION TO CONGRESS OF CERTAIN TRANSCRIPTS.—Subsection (c) of section 601 is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period and inserting a semicolon; and

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

''(3) for any hearing, oral argument, or other proceeding before the Foreign Intelligence Surveillance Court or Foreign Intelligence Surveillance Court of Review for which a court reporter produces a transcript, not later than 45 days after the government receives the final transcript or the date on which the matter of the hearing, oral argument, or other proceeding is resolved, whichever is later, a notice of the existence of such transcript. Not later than three business days after a committee referred to in subsection (a) requests to review an existing transcript, the Attorney General shall facilitate such request; and

''(4) a copy of each declassified document that has undergone review under section 602.''.

SEC. 9. AUDIT OF FISA COMPLIANCE BY INSPECTOR GENERAL.

(a) INSPECTOR GENERAL REPORT ON FEDERAL BUREAU OF INVESTIGATION QUERYING PRACTICES.—

(1) REPORT.—Not later than 545 days after the date of enactment of this Act, the Inspector General of the Department of Justice shall submit to the appropriate congressional committees a report on the querying practices of the Federal Bureau of Investigation under section 702.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) An evaluation of compliance by personnel of the Federal Bureau of Investigation with the querying procedures adopted under section 702(f), with a particular focus on compliance by such personnel with the procedures governing queries using United States person query terms.

(B) An analysis of each specific reform that, in the view of the Inspector General, is responsible for any identified improvement in the Federal Bureau of Investigation's record of compliance with the querying procedures, including an identification of whether such reform was—

(i) required by this Act or another Act of Congress;

(ii) required by the Foreign Intelligence Surveillance Court or the Attorney General; or

(iii) voluntarily adopted by the Director of the Federal Bureau of Investigation.

(C) An assessment of the status of the implementation by the Federal Bureau of Investigation of all reforms related to querying that are required by this Act.

(D) An evaluation of the effectiveness of the Office of Internal Auditing of the Federal Bureau of Investigation with respect to monitoring and improving query compliance by personnel of the Federal Bureau of Investigation.

(E) Recommendations to further improve compliance with querying procedures by personnel of the Federal Bureau of Investigation, particularly with respect to compliance with the procedures governing queries using United States person query terms.

(F) Any other relevant matter the Inspector General determines appropriate.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form and may include a classified annex.

(4) DEFINITIONS.—In this subsection:

(A) IN GENERAL.—Except as provided in this subsection, terms used in this subsection have the meanings given such terms in the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the congressional intelligence committees, as such term is defined in subsection (b) of section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881); and

(ii) the Committees on the Judiciary of the House of Representatives and the Senate.

SEC. 10. ACCURACY AND COMPLETENESS OF APPLICATIONS.

(a) REQUIREMENT FOR CERTIFICATIONS REGARDING ACCURACY OF APPLICATIONS.—

(1) TITLE I.—Subsection (a) of section 104, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(12) a certification by the applicant or declarant that, to the best knowledge of the applicant or declarant, the Attorney General or a designated attorney for the Government has been apprised of all information that might reasonably—

''(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(B) otherwise raise doubts with respect to the findings required under section 105(a).''.

(2) TITLE III.—Subsection (a) of section 303 is amended by adding at the end the following:

''(10) a certification by the applicant that, to the best knowledge of the applicant, the Attorney General or a designated attorney for the Government has been apprised of all information that might reasonably—

''(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(B) otherwise raise doubts with respect to the findings required under section 304(a).''.

(3) TITLE IV.—Subsection (c) of section 402 is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) a certification by the Federal Officer seeking to use the pen register or trap and trace device covered by the application that, to the best knowledge of the Federal Officer, the Attorney General or a designated attorney for the Government has been apprised of all information that might reasonably—

''(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(B) otherwise raise doubts with respect to the findings required under subsection (d).''.

(4) TITLE V.—Subsection (b)(2) of section 502 is amended—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(E) a statement by the applicant that, to the best knowledge of the applicant, the application fairly reflects all information that might reasonably—

''(i) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(ii) otherwise raise doubts with respect to the findings required under subsection (c).''.

(5) TITLE VII.—

(A) SECTION 703.—Subsection (b)(1) of section 703 is amended—

(i) in subparagraph (I), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (J), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(K) a certification by the applicant that, to the best knowledge of the applicant, the Attorney General or a designated attorney for the Government has been apprised of all information that might reasonably—

''(i) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(ii) otherwise raise doubts with respect to the findings required under subsection (c).''.

(B) SECTION 704.—Subsection (b) of section 704 is amended—

(i) in paragraph (6), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new paragraph:

''(8) a certification by the applicant that, to the best knowledge of the applicant, the Attorney General or a designated attorney for the Government has been apprised of all information that might reasonably—

''(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

''(B) otherwise raise doubts with respect to the findings required under subsection (c).''.

(6) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

(7) ACCURACY PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall issue procedures governing the review of case files, as appropriate, to ensure that applications to the Foreign Intelligence Surveillance Court under title I or III of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that target United States persons are accurate and complete.

(b) DISCLOSURE OF EXCULPATORY INFORMATION.—

(1) TITLE I.—Subsection (a) of section 104, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(13) non-cumulative information known to the applicant or declarant that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(2) TITLE III.—Subsection (a) of section 303, as amended by this Act, is further amended by adding at the end the following:

''(11) non-cumulative information known to the applicant or declarant that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(3) TITLE IV.—Subsection (c) of section 402, as amended by this Act, is further amended—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) non-cumulative information known to the Federal officer seeking to use the pen register or trap and trace device covered by the application, that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(4) TITLE V.—Subsection (b)(2) of section 502, as amended by this Act, is further amended—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (E)(ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(F) non-cumulative information known to the applicant that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(5) TITLE VII.—

(A) SECTION 703.—Subsection (b)(1) of section 703, as amended by this Act, is further amended—

(i) in subparagraph (J), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (K), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(L) non-cumulative information known to the applicant or declarant that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(B) SECTION 704.—Subsection (b) of section 704, as amended by this Act, is further amended—

(i) in paragraph (7), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new paragraph:

''(9) non-cumulative information known to the applicant or declarant that is potentially exculpatory regarding the requested legal findings or any assessment in the application.''.

(6) APPLICABILITY.—The amendments made by this subsection shall apply with respect to applications made on or after the date that is 120 days after the date of enactment of this Act.

SEC. 11. ANNUAL REPORT OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) REVOCATION OF STATUTORY REPORTING EXEMPTION AND ADDITIONAL REPORTING REQUIREMENT FOR FEDERAL BUREAU OF INVESTIGATION.—

(1) IN GENERAL.—Section 603, as amended by this Act, is further amended—

(A) in subsection (b)(2)(B) by inserting ''(or combined unminimized contents and noncontents information)'' after ''unminimized contents'';

(B) in subsection (d), by amending paragraph (2) to read as follows:

''(2) NONAPPLICABILITY TO ELECTRONIC MAIL ADDRESS AND TELEPHONE NUMBERS.—Paragraph (3)(B) of subsection (b) shall not apply to orders resulting in the acquisition of information by the Federal Bureau of Investigation that does not include electronic mail addresses or telephone numbers.''; and

(C) by inserting the following new subsection:

''(f) MANDATORY REPORTING ON SECTION 702 BY DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION.—

''(1) ANNUAL REPORT.—The Director of the Federal Bureau of Investigation shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate a report that includes—

''(A) the number of United States person queries by the Federal Bureau of Investigation of unminimized contents or noncontents acquired pursuant to section 702(a);

''(B) the number of approved queries using the Federal Bureau of Investigation's batch job technology, or successor tool;

''(C) the number of queries using the Federal Bureau of Investigation's batch job technology, or successor tool, conducted by the Federal Bureau of Investigation against information acquired pursuant to section 702(a) for which preapproval was not obtained due to emergency circumstances;

''(D) the number of United States person queries conducted by the Federal Bureau of Investigation of unminimized contents or noncontents acquired pursuant to section 702(a) solely to retrieve evidence of a crime;

''(E) a good faith estimate of the number of United States person query terms used by the Federal Bureau of Investigation to conduct queries of unminimized contents or noncontents acquired pursuant to section 702(a) primarily to protect the United States person who is the subject of the query; and

''(F) a good faith estimate of the number of United States person query terms used by the Federal Bureau of Investigation to conduct queries of unminimized contents or noncontents acquired pursuant to section 702(a) where the United States person who is the subject of the query is a target or subject of an investigation by the Federal Bureau of Investigation.

''(2) PUBLIC AVAILABILITY.—Subject to declassification review by the Attorney General and the Director of National Intelligence, each annual report submitted pursuant to paragraph (1) shall be available to the public during the first April following the calendar year covered by the report.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2025.

SEC. 12. ADVERSE PERSONNEL ACTIONS FOR FEDERAL BUREAU OF INVESTIGATION.

(a) ANNUAL REPORTING ON DISCIPLINARY ACTIONS BY FEDERAL BUREAU OF INVESTIGATION.—Section 603 is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting the following new subsection:

''(e) MANDATORY REPORTING BY DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION.—The Director of the Federal Bureau of Investigation shall annually submit to the Permanent Select Committee on Intelligence and the Committee on Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate, a report describing the accountability actions taken by the Federal Bureau of Investigation in the preceding 12-month period for noncompliant querying of information acquired under section 702 and any such actions taken pursuant to section 103(m), to include the number of ongoing personnel investigations, the outcome of any completed personnel investigations and any related adverse personnel actions taken.''.

(b) ACCOUNTABILITY MEASURES FOR EXECUTIVE LEADERSHIP OF FEDERAL BUREAU OF INVESTIGATION.—

(1) MEASURES REQUIRED.—The Director of the Federal Bureau of Investigation shall ensure that, as soon as practicable following the date of enactment of this Act, there are in effect measures for holding the executive leadership of each covered component appropriately accountable for ensuring compliance with covered procedures by the personnel of the Federal Bureau of Investigation assigned to that covered component. Such measures shall include a requirement for an annual evaluation of the executive leadership of each such covered component with respect to ensuring such compliance during the preceding year.

(2) BRIEFINGS REQUIRED.—

(A) BRIEFINGS.—Not later than December 31 of each calendar year, the Federal Bureau of Investigation shall provide to the appropriate congressional committees a briefing on the implementation of paragraph (1).

(B) MATTERS.—Each briefing under subparagraph (A) shall include, with respect to the period covered by the briefing, the following:

(i) A description of specific measures under paragraph (1) that the Federal Bureau of Investigation has implemented.

(ii) A description of specific measures under such subsection that the Federal Bureau of Investigation has proposed to be implemented or modified, and the timeline for such proposed implementation or modification.

(iii) A summary of compliance with covered procedures by the personnel of the Federal Bureau of Investigation, disaggregated by covered component, and a description of any adverse personnel actions taken against, or other actions taken to ensure the appropriate accountability of, the executive leadership of covered components that underperformed with respect to ensuring such compliance.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the congressional intelligence committees, as such term is defined in subsection (b) of section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881) on the date of enactment of this Act; and

(ii) the Committees on the Judiciary of the House of Representatives and the Senate.

(B) COVERED COMPONENT.—The term ''covered component'' means a field office, Headquarters division, or other element of the Federal Bureau of Investigation with personnel who, for any period during which section 702 is in effect, have access to the unminimized contents of communications obtained through acquisitions authorized under section 702(a).

(C) COVERED PROCEDURE.—The term ''covered procedure''—

(i) means any procedure governing the use of authorities under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.); and

(ii) includes querying procedures and minimization procedures adopted pursuant to such Act.

(D) EXECUTIVE LEADERSHIP.—The term ''executive leadership'' includes—

(i) with respect to a field office of the Federal Bureau of Investigation, an Assistant Director in Charge or Special Agent in Charge of the field office; and

(ii) with respect to a division of the Federal Bureau of Investigation Headquarters, an Assistant Director of the division.

SEC. 13. CRIMINAL PENALTIES FOR VIOLATIONS OF FISA.

(a) PENALTIES FOR UNAUTHORIZED DISCLOSURE OF APPLICATION FOR ELECTRONIC SURVEILLANCE.—

(1) IN GENERAL.—Subsection (a) of section 109 is amended—

(A) in the matter preceding paragraph (1), by striking ''intentionally'';

(B) in paragraph (1)—

(i) by inserting ''intentionally'' before ''engages in''; and

(ii) by striking ''; or'' and inserting a semicolon;

(C) in paragraph (2)—

(i) by striking ''disclose'' and inserting ''intentionally discloses''; and

(ii) by striking the period at the end and inserting ''; or''; and

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

''(3) knowingly and willfully communicates, furnishes, transmits, or otherwise makes available to an unauthorized person, or publishes, or uses in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States an application, in whole or in part, for an order for electronic surveillance under this Act.''.

(2) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''under subsection (a)'' and inserting ''under paragraph (1) or (2) of subsection (a)''.

(b) INCREASED CRIMINAL PENALTIES FOR OFFENSE UNDER FISA.—Subsection (c) of section 109 is amended to read as follows:

''(c) PENALTY.—A person guilty of an offense in this section shall be fined under title 18, imprisoned for not more than 10 years, or both.''.

(c) CRIMINAL PENALTIES FOR UNAUTHORIZED DISCLOSURE OF CERTAIN INCIDENTALLY COLLECTED UNITED STATES PERSON INFORMATION.—Title VII is amended by inserting the following new section:

''SEC. 709. PENALTIES FOR UNAUTHORIZED DISCLOSURE.

''(a) OFFENSE.—A person is guilty of an offense under this section if that person knowingly and willfully communicates, furnishes, transmits, or otherwise makes available to an unauthorized person, or publishes, or uses in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States any classified information that contains the contents of any communication acquired under this title to which a known United States person is a party.

''(b) PENALTY.—A person guilty of an offense in this section shall be fined under title 18, imprisoned for not more than 8 years, or both.

''(c) JURISDICTION.—There is Federal jurisdiction over an offense under this section if the person committing the offense was an officer or employee of the United States at the time the offense was committed.''.

(d) SENTENCING ENHANCEMENT FOR FALSE DECLARATIONS BEFORE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—Subsection (a) of section 1623 of title 18, United States Code, is amended by inserting before '', or both'' the following: ''or, if such proceedings are before or ancillary to the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review established by section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), imprisoned not more than ten years''.

SEC. 14. CONTEMPT POWER OF FISC AND FISC–R.

(a) CONTEMPTS CONSTITUTING CRIMES.—Section 402 of title 18, United States Code, is amended by inserting after ''any district court of the United States'' the following: '', including the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review established by section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803),''.

(b) ANNUAL REPORTING ON CONTEMPT.—Subsection (a)(1) of section 603 is amended—

(1) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(G) the number of times the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review exercised authority under chapter 21 of title 18, United States Code and a description of each use of such authority.''.

SEC. 15. INCREASED PENALTIES FOR CIVIL ACTIONS.

(a) INCREASED PENALTIES.—Subsection (a) of section 110 is amended to read as follows:

''(a) actual damages, but not less than liquidated damages equal to the greater of—

''(1) if the aggrieved person is a United States person, $10,000 or $1,000 per day for each day of violation; or

''(2) for any other aggrieved person, $1,000 or $100 per day for each day of violation;''.

(b) REPORTING REQUIREMENT.—Title I of the Foreign Intelligence Surveillance Act of 1978 is amended by inserting after section 110 the following:

''SEC. 110A. REPORTING REQUIREMENTS FOR CIVIL ACTIONS.

''(a) REPORT TO CONGRESS.—If a court finds that a person has violated this Act in a civil action under section 110, the head of the agency that employs that person shall report to Congress on the administrative action taken against that person pursuant to section 103(m) or any other provision of law.

''(b) REPORT TO FOREIGN INTELLIGENCE SURVEILLANCE COURT.—If a court finds that a person has violated this Act in a civil action under section 110, the head of the agency that employs

that person shall report the name of such person to the Foreign Intelligence Surveillance Court. The Foreign Intelligence Surveillance Court shall maintain a list of each person about whom it received a report under this subsection.''.

SEC. 16. ACCOUNTABILITY STANDARDS FOR INCIDENTS RELATING TO QUERIES CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION.

(a) REQUIREMENT FOR ADOPTION OF CERTAIN MINIMUM ACCOUNTABILITY STANDARDS.—

(1) MINIMUM ACCOUNTABILITY STANDARDS.—Subsection (f) of section 702, as amended by this Act, is further amended by inserting after paragraph (3) the following new paragraph:

''(4) MINIMUM ACCOUNTABILITY STANDARDS.—The Director of the Federal Bureau of Investigation shall issue minimum accountability standards that set forth escalating consequences for noncompliant querying of United States person terms within the contents of communications that were acquired under this section. Such standards shall include, at minimum, the following:

''(A) Zero tolerance for willful misconduct.

''(B) Escalating consequences for unintentional noncompliance, including the threshold for mandatory revocation of access to query information acquired under this section.

''(C) Consequences for supervisors who oversee users that engage in noncompliant queries.''.

(2) DEADLINES.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall issue the minimum accountability standards required under subsection (f)(4) of section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a).

(3) REPORTS.—

(A) SUBMISSION OF STANDARDS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the appropriate congressional committees the minimum accountability standards issued under paragraph (1).

(B) ANNUAL REPORT ON IMPLEMENTATION.—Not later than December 1, 2024, and annually thereafter for 3 years, the Director of the Federal Bureau of Investigation shall submit to the appropriate congressional committees a report detailing each adverse personnel action taken pursuant to the minimum accountability standards and a description of the conduct that led to each such action.

(4) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees, as such term is defined in subsection (b) of section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881); and

(B) the Committees on the Judiciary of the House of Representatives and of the Senate.

SEC. 17. REMOVAL OR SUSPENSION OF FEDERAL OFFICERS FOR MISCONDUCT BEFORE FOREIGN INTELLIGENCE SURVEILLANCE COURT.

(a) REMOVAL OR SUSPENSION OF FEDERAL OFFICERS FOR MISCONDUCT BEFORE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—Section 103, as amended by this Act, is further amended by adding at the end the following new subsection:

''(m) REMOVAL OR SUSPENSION OF FEDERAL OFFICERS FOR MISCONDUCT BEFORE COURTS.—An officer or employee of the United States Government who engages in intentional misconduct with respect to proceedings before the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review shall be subject to appropriate adverse actions, including, at minimum, suspension without pay or removal, up to and including termination.''.

SEC. 18. REPORTS AND OTHER MATTERS.

(a) NOTIFICATION TO CONGRESS OF CERTAIN UNAUTHORIZED DISCLOSURES.—If the Director of National Intelligence becomes aware of an actual or potential significant unauthorized disclosure or compromise of information acquired under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as soon as practicable, but not later than 7 days after the date on which the Director becomes so aware, the Director shall notify the congressional intelligence committees of such actual or potential disclosure or compromise.

(b) REPORT ON TECHNOLOGY NEEDED FOR NEAR-REAL TIME MONITORING OF FEDERAL BUREAU OF INVESTIGATION COMPLIANCE.—

(1) STUDY REQUIRED.—The Director of National Intelligence, in coordination with the National Security Agency and in consultation with the Federal Bureau of Investigation, shall conduct a study on technological enhancements that would enable the Federal Bureau of Investigation to conduct near-real time monitoring of compliance in any system of the Federal Bureau of Investigation that stores information acquired under section 702. Such study shall consider the potential cost and assess the feasibility of implementation within a period of one year of each technological enhancement under consideration.

(2) SUBMISSION.—Not later than one year after the date of enactment of this Act, the Director of National Intelligence shall submit the results of the study to the appropriate congressional committees.

(3) DEFINITIONS.—In this section the term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees, as such term is defined in subsection (b) of section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881); and

(B) the Committees on the Judiciary of the House of Representatives and the Senate.

(c) FISA REFORM COMMISSION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established a commission to consider ongoing reforms to the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) DESIGNATION.—The commission established under subparagraph (A) shall be known as the ''FISA Reform Commission'' (in this section the ''Commission'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—

(i) IN GENERAL.—Subject to clause (ii), the Commission shall be composed of the following members:

(I) The Principal Deputy Director of National Intelligence.

(II) The Deputy Attorney General.

(III) The Deputy Secretary of Defense.

(IV) The Deputy Secretary of State.

(V) The Chair of the Privacy and Civil Liberties Oversight Board.

(VI) Three members appointed by the majority leader of the Senate, in consultation with the Chairman of the Select Committee on Intelligence of the Senate and the Chairman of the Committee on the Judiciary of the Senate, 1 of whom shall be a member of the Senate and 2 of whom shall not be.

(VII) Three members appointed by the minority leader of the Senate, in consultation with the Vice Chairman of the Select Committee on Intelligence of the Senate and the Ranking Member of the Committee on the Judiciary of the Senate, 1 of whom shall be a member of the Senate and 2 of whom shall not be.

(VIII) Three members appointed by the Speaker of the House of Representatives, in consultation with the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives and the Chairman of the Committee on the Judiciary of the House of Representatives, 1 of whom shall be a member of the House of Representatives and 2 of whom shall not be.

(IX) Three members appointed by the minority leader of the House of Representatives, in consultation with the Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives and the Ranking Member of the Committee on the Judiciary of the House of Representatives, 1 of whom shall be a member of the House of Representatives and 2 of whom shall not be.

(ii) NONMEMBERS OF CONGRESS.—

(I) QUALIFICATIONS.—The members of the Commission who are not members of Congress and who are appointed under subclauses (VI) through (IX) of clause (i) shall be individuals who are nationally recognized for expertise, knowledge, or experience in—

(aa) use of intelligence information by the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), national policymakers, and military leaders;

(bb) the implementation, funding, or oversight of the national security laws of the United States;

(cc) privacy, civil liberties, and transparency; or

(dd) laws and policies governing methods of electronic surveillance.

(II) CONFLICTS OF INTEREST.—An official who appoints members of the Commission may not appoint an individual as a member of the Commission if such individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(III) SECURITY CLEARANCES.—All members of the Commission described in subclause (I) shall possess an appropriate security clearance in accordance with applicable provisions of law concerning the handling of classified information.

(B) CO-CHAIRS.—

(i) IN GENERAL.—The Commission shall have 2 co-chairs, selected from among the members of the Commission.

(ii) AGREEMENT.—The individuals who serve as the co-chairs of the Commission shall be agreed upon by the members of the Commission.

(3) APPOINTMENT; INITIAL MEETING.—

(A) APPOINTMENT.—Members of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act.

(B) INITIAL MEETING.—The Commission shall hold its initial meeting on or before the date that is 180 days after the date of the enactment of this Act.

(4) MEETINGS; QUORUM; VACANCIES.—

(A) IN GENERAL.—After its initial meeting, the Commission shall meet upon the call of the co-chairs of the Commission.

(B) QUORUM.—Nine members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(C) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(D) QUORUM WITH VACANCIES.—If vacancies in the Commission occur on any day after 90 days after the date of the enactment of this Act, a quorum shall consist of a majority of the members of the Commission as of such day.

(5) DUTIES.—The duties of the Commission are as follows:

(A) To review the effectiveness of the current implementation of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) To develop recommendations for legislative action to reform the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that provide for the effective conduct of United States intelligence activities and the protection of privacy and civil liberties.

(6) POWERS OF COMMISSION.—

(A) IN GENERAL.—

(i) HEARINGS.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section—

(I) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(II) require, by subpoena or otherwise, the attendance and testimony of such witnesses and

the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member considers necessary.

(ii) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(I) ISSUANCE.—A subpoena issued under clause (i)(II) shall—

(aa) bear the signature of the co-chairs of the Commission; and

(bb) be served by a person or class of persons designated by the co-chairs for that purpose.

(II) ENFORCEMENT.—The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of a witness to comply with any subpoena or to testify when summoned under authority of this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Commission may secure directly from any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality of the Federal Government information, suggestions, estimates, and statistics for the purposes of this section.

(ii) FURNISHING INFORMATION.—Each such department, agency, bureau, board, commission, office, establishment, or instrumentality described in clause (i) shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request of the co-chairs of the Commission.

(iii) PROTECTION OF CLASSIFIED INFORMATION.—The Commission shall handle and protect all classified information provided to it under this section in accordance with applicable provisions of law.

(C) ASSISTANCE FROM FEDERAL AGENCIES.—

(i) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide to the Commission, on a nonreimbursable basis, such administrative services, funds, staff, facilities, and other support services as are necessary for the performance of the duties of the Commission under this section.

(ii) ATTORNEY GENERAL.—The Attorney General may provide the Commission, on a nonreimbursable basis, with such administrative services, staff, and other support services as the Commission may request.

(iii) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance set forth in clauses (i) and (ii), other departments and agencies of the United States may provide the Commission such services, funds, facilities, staff, and other support as such departments and agencies consider advisable and as may be authorized by law.

(iv) COOPERATION.—The Commission shall receive the full and timely cooperation of any official, department, or agency of the Federal Government whose assistance is necessary, as jointly determined by the co-chairs selected under paragraph (2)(B), for the fulfillment of the duties of the Commission, including the provision of full and current briefings and analyses.

(D) POSTAL SERVICES.—The Commission may use the United States postal services in the same manner and under the same conditions as the departments and agencies of the Federal Governments.

(E) GIFTS.—No member or staff of the Commission may receive a gift or benefit by reason of the service of such member or staff to the Commission.

(7) STAFF OF COMMISSION.—

(A) APPOINTMENT AND COMPENSATION OF STAFF.—The co-chairs of the Commission, in accordance with rules agreed upon by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(C) SECURITY CLEARANCES.—All staff of the Commission and all experts and consultants employed by the Commission shall possess a security clearance in accordance with applicable provisions of law concerning the handling of classified information.

(8) COMPENSATION AND TRAVEL EXPENSES.—

(A) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Except as provided in subparagraph (B), each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission under this title.

(ii) EXCEPTION.—Members of the Commission who are officers or employees of the United States or Members of Congress shall receive no additional pay by reason of their service on the Commission.

(B) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, a member of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(9) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(A) IN GENERAL.—The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this title.

(B) INFORMATION PROVIDED BY CONGRESSIONAL INTELLIGENCE COMMITTEES.—Any information related to the national security of the United States that is provided to the Commission by a congressional intelligence committee may not be further provided or released without the approval of the chairman of such committee.

(C) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under paragraph (10)(B), only the members and designated staff of the congressional intelligence committees, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch of the Federal Government as the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(10) FINAL REPORT; TERMINATION.—

(A) FINAL REPORT.—

(i) DEFINITIONS.—In this subparagraph:

(I) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(aa) the congressional intelligence committees;

(bb) the Committee on the Judiciary of the Senate; and

(cc) the Committee on the Judiciary of the House of Representatives.

(II) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means—

(aa) the majority leader of the Senate;

(bb) the minority leader of the Senate;

(cc) the Speaker of the House of Representatives; and

(dd) the minority leader of the House of Representatives.

(ii) FINAL REPORT REQUIRED.—Not later than 5 years from the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, congressional leadership, the Director of National Intelligence, and the Attorney General a final report on the findings of the Commission.

(iii) FORM OF FINAL REPORT.—The final report submitted pursuant to clause (ii) shall be in unclassified form but may include a classified annex.

(iv) ASSESSMENTS OF FINAL REPORT.—Not later than 1 year after receipt of the final report under clause (ii), the Director of National Intelligence and the Attorney General shall each submit to the appropriate committees of Congress and congressional leadership an assessment of such report.

(B) TERMINATION.—

(i) IN GENERAL.—The Commission, and all the authorities of this section, shall terminate on the date that is 2 years after the date on which the final report is submitted under subparagraph (A)(ii).

(ii) WIND-DOWN PERIOD.—The Commission may use the 2-year period referred to in clause (i) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report referred to in that paragraph and disseminating the report.

(11) INAPPLICABILITY OF CERTAIN ADMINISTRATIVE PROVISIONS.—

(A) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission under this section.

(B) FREEDOM OF INFORMATION ACT.—The provisions of section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), shall not apply to the activities, records, and proceedings of the Commission under this section.

(12) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated funds to the extent and in such amounts as specifically provided in advance in appropriations acts for the purposes detailed in this subsection.

(B) AVAILABILITY IN GENERAL.—Subject to subparagraph (A), the Director of National Intelligence shall make available to the Commission such amounts as the Commission may require for purposes of the activities of the Commission under this section.

(C) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subparagraph (B) shall remain available until expended or upon termination under paragraph (10)(B), whichever occurs first.

(13) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this subsection, the term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(d) SEVERABILITY; APPLICABILITY DATE.—

(1) SEVERABILITY.—If any provision of this Act, any amendment made by this Act, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act, of any such amendments, and of the application of such provisions to other persons and circumstances shall not be affected thereby.

(2) APPLICABILITY DATE.—Subsection (f) of section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by this Act, shall apply with respect to certifications submitted under subsection (h) of such section to the Foreign Intelligence Surveillance Court after January 1, 2024.

SEC. 19. EXTENSION OF CERTAIN AUTHORITIES.

(a) FISA AMENDMENTS ACT OF 2008.—Section 403(b) of the FISA Amendments Act of 2008

(Public Law 110–261; 122 Stat. 2474) is amended—

(1) in paragraph (1)—

(A) by striking ''April 19, 2024'' and inserting ''two years after the date of enactment of the Reforming Intelligence and Securing America Act''; and

(B) by inserting ''and the Reforming Intelligence and Securing America Act'' after ''the FISA Amendments Reauthorization Act of 2017''; and

(2) in paragraph (2) in the matter preceding subparagraph (A), by striking ''April 19, 2024'' and inserting ''two years after the date of enactment of the Reforming Intelligence and Securing America Act''.

(b) CONFORMING AMENDMENTS.—Section 404(b) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2476), is amended—

(1) in paragraph (1)—

(A) in the heading, by striking ''APRIL 19, 2024'' and inserting ''TWO YEARS AFTER THE DATE OF ENACTMENT OF THE REFORMING INTELLIGENCE AND SECURING AMERICA ACT''; and

(B) by inserting ''and the Reforming Intelligence and Securing America Act'' after ''the FISA Amendments Reauthorization Act of 2017'';

(2) in paragraph (2), by inserting ''and the Reforming Intelligence and Securing America Act'' after ''the FISA Amendments Reauthorization Act of 2017''; and

(3) in paragraph (4), by inserting ''and the Reforming Intelligence and Securing America Act'' after ''the FISA Amendments Reauthorization Act of 2017'' in each place it appears.

SEC. 20. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) REFERENCES TO FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(b) EFFECT OF CERTAIN AMENDMENTS ON CONFORMING CHANGES TO TABLES OF CONTENTS.—When an amendment made by this Act adds a section or larger organizational unit to the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), repeals or transfers a section or larger organizational unit in such Act, or amends the designation or heading of a section or larger organizational unit in such Act, that amendment also shall have the effect of amending the table of contents in such Act to alter the table to conform to the changes made by the amendment.

SEC. 21. REQUIREMENT FOR RECERTIFICATION.

Notwithstanding any orders or authorizations issued or made under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) during the period beginning on January 1, 2024 and ending on April 30, 2024, no later than 90 days after the date of enactment of this Act, the Attorney General and the Director of National Intelligence shall be required to seek new orders consistent with the provisions of the Foreign Intelligence Surveillance Act of 1978, as amended by this Act, and thereafter to issue new authorizations consistent with such new orders.

The Acting CHAIR. No further amendment to the bill, as amended, is in order except those printed in House Report 118–46. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BIGGS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 118–456.

Mr. BIGGS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, strike line 8 and all that follows through line 10 on page 15, and insert the following:

(a) PROHIBITION ON WARRANTLESS QUERIES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f))—

(1) in paragraph (1)(A) by inserting ''and the limitations and requirements in paragraph (2)'' after ''Constitution of the United States'';

(2) by redesignating paragraph (3) as paragraph (7); and

(3) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON WARRANTLESS QUERIES FOR THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of the United States may conduct a query of information acquired under this section for the purpose of finding communications or information the compelled production of which would require a probable cause warrant if sought for law enforcement purposes in the United States, of a United States person.

''(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply to a query related to a United States person if—

''(I) such person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105 (50 U.S.C. 1805) or section 304 (50 U.S.C. 1824) of this Act, or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

''(II)(aa) the officer or employee conducting the query has a reasonable belief that—

''(AA) an emergency exists involving an imminent threat of death or serious bodily harm; and

''(BB) in order to prevent or mitigate the threat described in subitem (AA), the query must be conducted before authorization described in subclause (I) can, with due diligence, be obtained; and

''(bb) a description of the query is provided to the Foreign Intelligence Surveillance Court and the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and of the Senate in a timely manner;

''(III) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent to the query on a case-by-case basis; or

''(IV)(aa) the query uses a known cybersecurity threat signature as a query term;

''(bb) the query is conducted, and the results of the query are used, for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

''(cc) no additional contents of communications acquired as a result of the query are accessed or reviewed; and

''(dd) each such query is reported to the Foreign Intelligence Surveillance Court.

''(ii) LIMITATIONS.—

''(I) USE IN SUBSEQUENT PROCEEDINGS.—No information acquired pursuant to a query authorized under clause (i)(II) or information derived from the information acquired pursuant to such query may be used, received in evidence, or otherwise disseminated in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, except in a proceeding that arises from the threat that prompted the query.

''(II) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under subclause (I).

''(C) MATTERS RELATING TO EMERGENCY QUERIES.—

''(i) TREATMENT OF DENIALS.—In the event that a query for communications or information, the compelled production of which would require a probable cause warrant if sought for law enforcement purposes in the United States, of a United States person is conducted pursuant to an emergency authorization described in subparagraph (B)(i)(I) and the subsequent application for such surveillance pursuant to section 105(e) (50 U.S.C. 1805(e)) or section 304(e) (50 U.S.C. 1824(e)) of this Act is denied, or in any other case in which the query has been conducted in violation of this paragraph—

''(I) no information acquired or evidence derived from such query may be used, received in evidence, or otherwise disseminated in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

''(II) no information concerning any United States person acquired from such query may subsequently be used or disclosed in any other manner without the consent of such person, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent death or serious bodily harm to any person.

''(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

''(D) FOREIGN INTELLIGENCE PURPOSE.—Except as provided in subparagraph (B)(i)(II)-(IV), no officer or employee of the United States may conduct a query of information acquired under this section for the purpose of finding information of a United States person unless the query is reasonably likely to retrieve foreign intelligence information.

''(3) DOCUMENTATION.—No officer or employee of the United States may conduct a query of information acquired under this section for the purpose of finding information of or about a United States person, unless an electronic record is created that includes the following:

''(A) Each term used for the conduct of the query.

''(B) The date of the query.

''(C) The identifier of the officer or employee.

''(D) A statement of facts showing that the use of each query term included under subparagraph (A)—

''(i) falls within an exception specified in paragraph (2)(B)(i); and

''(ii) is—

''(I) reasonably likely to retrieve foreign intelligence information; or

''(II) in furtherance of an exception described in subclauses (II) through (IV) of paragraph (2)(B)(i).

''(4) QUERY RECORD SYSTEM.—The head of each agency that conducts queries shall ensure that a system, mechanism, or business practice is in place to maintain the record described in paragraph (3). Not later than 90 days after enactment of this paragraph, the head of each agency shall report to Congress on its compliance with this procedure.

''(5) PROHIBITION ON RESULTS OF METADATA QUERY AS A BASIS FOR ACCESS TO COMMUNICATIONS AND OTHER PROTECTED INFORMATION.—If a query of information acquired under this section is conducted for the purpose of finding communications metadata of a United States person and the query returns such metadata, the communications content associated with the metadata may not be reviewed except as provided under paragraph (2)(B)(i) of this subsection.

''(6) FEDERATED DATASETS.—The prohibitions and requirements under this subsection shall apply to queries of federated and mixed datasets that include information acquired under this section, unless each agency has established a system, mechanism, or business practice to limit the query to information not acquired under this section.''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BIGGS. Mr. Chairman, to hear the administration tell it, having to get a warrant is the end of the world.

Well, guess what? In literally any other context in which law enforcement or intelligence agencies want to read an American's communications, they have to get a warrant. That has been the rule for over 200 years, and for 46 years the government has had to get a FISA title I order to read Americans' communications in a foreign intelligence investigation.

These are investigations in which Americans are suspected of terrorism, espionage, cybercrimes—you name it.

Somehow, a warrant or title I requirement is completely consistent with national security in those high-stakes cases, yet the administration and those who are opposed to this amendment allege it will plunge us into a dystopian nightmare if we apply this same basic longstanding protection to section 702 queries where the American often isn't even suspected of any wrongdoing at the time of the query.

I don't buy it, and neither should you.

Over a decade ago, as my friend Mr. NADLER said just a moment ago, a group of intelligence experts unanimously recommended requiring a warrant for U.S. person queries of section 702 data.

That group included Michael Morell, former Acting Director of the CIA, and Richard A. Clarke, former Chief Counterterrorism Adviser to President George W. Bush—bipartisan—recommended the same thing that we have today.

Mr. Chair, I reserve the balance of my time.

Mr. TURNER. Mr. Chair, I claim time in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER. Mr. Chair, I rise in opposition to this amendment by Mr. BIGGS.

First of all, I thank Mr. BIGGS. He participated in the working group that we had that was joint between the Intelligence Committee and the Judiciary Committee that drafted and put together this underlying bill, including working directly with the Speaker's Office in the second working group that drafted the specific bill, this underlying bill.

We disagree about his amendment though, which is why we are here on the debate.

This amendment is not about Americans' inboxes and outboxes. This is not about Americans' data. This amendment is about Hezbollah's data, Hamas' data, and the Communist Chinese Party's data.

You don't have to take my word for it. Just pick up this amendment. Read the front of the amendment. This amendment says that you need to get a warrant to go into data collected by 702. The 702 data which we all agree—everybody on this floor agrees that 702 data is the collection of foreigners abroad. That is Hamas, Hezbollah, the Chinese Communist Party, al-Qaida.

What they want is a warrant to search the inbox and outbox of Hezbollah, al-Qaida, and the Chinese Communist Party when they are communicating with people in the United States.

This is dangerous, it will make us go blind, and it will absolutely increase their recruitment of people inside the United States—not even American citizens—to do terrorist attacks, recruit for espionage, and to harm Americans.

Mr. Chair, I reserve the balance of my time.

Mr. BIGGS. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. NADLER), the cosponsor of this amendment.

Mr. NADLER. Mr. Chairman, I rise in support of this absolutely essential amendment.

In 2021, the intelligence community conducted over 278,000 inappropriate searches of Americans' private communications. They broke the law more than 278,000 times.

Mr. BIGGS and I do not agree on much, but we agree that the status quo is unacceptable. Without a probable cause warrant requirement, it is clear that the intelligence community will go on breaking the law and violating Americans' rights in the process.

As I have said again and again, if the government wants to peruse the private communications of Americans, they can go to title I of FISA. Section 702 has fewer privacy protections because it is meant for foreigners located overseas—people who do not have constitutional rights.

Any Americans' data we collect under 702 is collected at a standard far below the Fourth Amendment, and that should not be.

I strongly support this amendment, and I encourage my colleagues to vote ''yes.''

Mr. TURNER. Mr. Chair, I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES), the ranking member of the Intelligence Committee.

Mr. HIMES. Mr. Chairman, I thank both the Judiciary Committee and the Intelligence Committee for this important debate.

I sat here and listened to the Judiciary Committee's support for the warrant amendment, and the entire argument is constructed on the foundation of the notion that U.S. person queries violate the Constitution. That is the argument.

I am not a lawyer, so I tend to defer to my good friends on the Judiciary Committee, but I am likely to defer more immediately to the people who are charged with defending our constitutional rights in the Federal courts. I am going to quote from the PCLOB report here, a statement made by the FIS court in April of 2022: ''All three United States Circuit Courts of Appeals to consider the issue [the Second, Ninth, and Tenth Circuits] have held that the incidental collection of a U.S. person's communications under section 702 does not require a warrant and is reasonable under the Fourth Amendment.''

I am not a lawyer, but I am inclined to defer to three separate circuits.

So my friends on Judiciary point to the PCLOB. The gentlewoman from Washington (Ms. JAYAPAL) quoted the chair of the PCLOB. She did it right. She was quoting the Chair of the PCLOB in her personal capacity. The PCLOB had profound misgivings with their own warrant requirement, which was far narrower than the Biggs amendment warrant requirement.

The two Republican members of the PCLOB wrote a rebuttal of the PCLOB's proposal, and I will just quote this. The Republican members—I would suggest that I am always amazed by the Chairman of Judiciary's alignment with his party. The Republicans said that: ''FISC preapproval would most negatively impact the most important and urgent queries—the ones that show a connection between foreign targets and U.S. persons, the ones that the FBI must review as quickly as possible.''

Please vote against the Biggs amendment.

Mr. BIGGS. Mr. Chairman, so let's just consider that the Second Circuit has said that a Fourth Amendment warrant is appropriate, and they haven't finished concluding it. I don't know why Mr. HIMES is going to just keep riding off on that, but the Second Circuit is still considering that.

Let's take a look at something else. The U.S. person queries designed to search for communications between Americans and foreigners who happen to be U.S. person targets. That is what we are hearing.

So Mr. TURNER says the law already requires a warrant to surveil an American. When he says ''surveil'' what he is talking about is collecting all of an American's communications. In that case, under title I a warrant is required.

A U.S. person query is an attempt to access some of an American's communications, namely, those that are incidentally collected under section 702 and to do so without a warrant. They can do it right now without a warrant.

That is the distinction that we are getting at.

Mr. Chairman, I reserve the balance of my time.

Mr. TURNER. What Mr. BIGGS just said is a great description. If this amendment passes, the Chinese Communist Party, Hezbollah, and Hamas get to fully recruit in the United States free because we would have to get a warrant to monitor them—not to monitor Americans. Already the Constitution requires that you have to have a warrant and you have to go to court for a warrant because their constitutional rights have been protected since the birth of this Nation.

Americans' inboxes and outboxes are protected by a constitutional right for a warrant.

□ 1100

The inbox and outbox of Hezbollah, Hamas, and the Chinese Communist Party are not. If they are recruiting into the United States and people are communicating back with them, that is not protected speech. If you send a thanks for the bomb-making classes email to the head of Hamas, that shouldn't take a warrant for us to see because we need to protect Americans.

Now, inside the United States, everybody's communications are protected. The Constitution is sound, and since the birth of this Nation, we have fought to ensure that. I would say it is the definition of a swamp when you stand on this floor and say you are going to give the American people something they already have; they have protections of their communications. They don't have the protection to be able to talk to Hamas and Hezbollah and the Chinese Communist Party and say that they are going to be recruited to be a terrorist to do espionage or to be a spy. That is what we are talking about.

There should not be a warrant for those types of communications. We wouldn't be able to see them. We would go blind. Our Nation would be unsafe.

Mr. Chair, I yield back the balance of my time.

Mr. BIGGS. Mr. Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. BIGGS. Mr. Chair, I yield 1 minute to the gentleman from Ohio (Mr. JORDAN), the chairman of the Judiciary Committee.

Mr. JORDAN. Mr. Chair, I thank the gentleman for yielding me time.

Mr. Chair, I would just point out that my good friend from Ohio says that we are searching foreigners in this database. Well, if we are just searching foreigners, why do we have this distinction called ''U.S. person queries''?

If you are just searching the bad guys, that is one thing, but you are not or you wouldn't have violated U.S. person inquiries 278,000 times. That is the fundamental distinction.

You can search all the bad guys you want—that is what we want. Do surveillance on them. They are in the database. You want more about them in the database, go do it. But if you want to search an American—their name, their phone number, their email address—you have to get a warrant.

That is all this does. We shouldn't make it too complicated. That is all this does.

Mr. HIMES just used the term, ''U.S. person queries.'' That is not a foreigner, that is someone here in the United States who is a person, and they are being searched. All we are saying is if you are going to do that, go get a warrant from a separate and equal branch of government.

Mr. BIGGS. Mr. Chair, I want to just dovetail on that because my friend from the Intelligence Committee keeps talking about us not being able to look at Hamas or any of these nefarious actors. That is simply inaccurate.

The administration cites multiple examples where using section 702 to monitor foreign targets has provided critical intelligence, but when it comes to warrantless searches for Americans, they can't provide any examples of where they have provided any useful information. Yet, they want to continue to look at U.S. persons' information without a warrant.

Mr. Chair, I urge support of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TURNER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 118–456.

Mr. ROY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, insert after line 17 the following:

(d) MEMBER ACCESS TO THE FOREIGN INTELLIGENCE SURVEILLANCE COURT AND FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.—The chair and ranking minority member of each of the congressional intelligence committees, the chairs and ranking members of the Committees on the Judiciary of the House of Representatives and of the Senate, the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall be entitled to attend any proceeding of the Foreign Intelligence Surveillance Court or any proceeding of the Foreign Intelligence Surveillance Court of Review. Each person entitled to attend a proceeding pursuant to this paragraph may designate not more than 2 staff members of such committee or office to attend on their behalf, pursuant to such procedures as the Attorney General, in consultation with the Director of National Intelligence may establish.

Page 45, strike line 16 and all that follows through line 17, and insert the following:

SEC. 11. ANNUAL REPORT OF THE FEDERAL BUREAU OF INVESTIGATION AND QUARTERLY REPORT TO CONGRESS.

Page 48, line 14, insert after ''the report.'' the following:

''(3) QUARTERLY REPORT.—Beginning on the date that is not later than 1 year after the effective date of this paragraph, the Director of the Federal Bureau of Investigation shall submit a quarterly report to the congressional intelligence committees and to the Committees on the Judiciary of the House of Representatives and of the Senate that includes the number of U.S. person queries conducted during that quarter.''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Mr. Chair, the amendment that I have put forward here requires the FBI to report to Congress on a quarterly basis rather than an annual basis the number of U.S. person queries conducted.

We simply want to have more information. We simply want to have the ability to look at this and understand whether the FBI is actually conducting these the proper way. We think quarterly is more efficient and more effective. By the way, we extended it, it does not kick in for 1 year.

The FBI was complaining it was too burdensome. The FBI couldn't get this done. They got a $200 million new headquarters, but they couldn't figure out how to get this done, so we gave them 1 year.

Great, so you have a year; quarterly reporting.

It also grants the chairs and ranking members of the Committees on Judiciary and Intelligence in the House and the Senate, the ability to go to the FISC.

Now, the problem is the chairman is going to say they oppose this. I know this because they put out their propaganda last night saying: This amendment would result in an unprecedented expansion of access to details on the most sensitive and highly classified current intelligence operations being undertaken by the government to numerous congressional staff which raises significant counterintelligence concerns.

We can't have congressional staff in the FISC. No, no, no, that would be terrible. We don't want to have Article I

be able to go over and get in front of the FISC and be able to see what is happening and protect American citizens. We would rather the intel community in all of its infinite wisdom be able to make all of the determinations about the security and safety of the American people.

By the way, we have all the provisions in the language that say that it is up to the intel world and the FBI and all the security people to set the circumstances and all of the requirements under what the congressional staff would have to have in terms of clearances. However, to say that we can't have congressional staff be able to observe the FISC, to be able to understand what is happening there, and be able to come back here so Congress can know what is happening to protect the American people is facially absurd.

Mr. Chair, I reserve the balance of my time.

Mr. TURNER. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER. Mr. Chair, the gentleman is correct, the Intelligence Committee does oppose this amendment. We oppose this. There was a working group that was put together by the Speaker which had two Representatives of the Judiciary Committee, two Representatives of the Intelligence Committee, two Representatives appointed by the leadership and the chair, MARIO DIAZ-BALART. Every person in that working group opposed this amendment.

Now, the underlying bill already includes a provision of a requirement that the FISA court now create transcripts and that those transcripts be transmitted to the Congressional committees of jurisdiction, which includes Judiciary and Intelligence.

We will already know what is happening. The difference is whether or not you pull up a seat and you eat popcorn while you are watching the court.

I want to go back to the Biggs amendment here for a second because the Biggs/Jayapal amendment is really what is dominating this whole debate.

This amendment, if you just read the front page of it, clearly says that it is about the intelligence that is gathered from foreigners abroad. This is not about Americans' data. Americans' data is safe, constitutionally protected. They are inboxed and outboxed. No amendment on this floor can change the Constitution. No statute on this floor can change the Constitution.

The statute that we are talking about is 702, which is the spying on foreigners abroad.

Now, everybody in this House is pissed at the FBI and is pissed about the abuses that occurred. Punish the FBI. Pass this underlying bill. Do not pass the Biggs amendment and cause us to go blind and make America less safe.

Mr. Chair, I reserve the balance of my time.

Mr. ROY. Mr. Chair, pretty much the entirety of the debate that has been done here has been focused on the warrant requirement, right.

The reason that we have this particular amendment before us right now is simply to just be able have more reporting and more understanding of what is happening in the FISC. But there is always constant resistance by the intelligence community to looking under the hood. Because it is always the case that they want to use the fear.

''Perhaps it is a universal truth that the loss of liberty at home is to be charged against danger real or pretended from abroad.'' James Madison, Thomas Jefferson, May 13, 1798.

The fact is, the Founders knew precisely what would occur, that the government, in the quest to have power in the name of stopping foreign adversaries and in the name of fear, would use that power against our own citizens. That is what is occurring. That is what is happening.

We have before us real and obvious abuses—278,000 of those abuses, going after the American people. And our response is a bunch of technical stuff that chases the actual core problem.

Our friends don't want to get into peeling back the hood of what is happening in the intel community because our friends are the intel community.

Mr. Chair, I reserve the balance of my time.

Mr. TURNER. Mr. Chair, in conclusion, as we look at this debate and this bill, which is about spying on foreigners abroad, Hezbollah, Hamas, the Chinese Communist Party, giving them constitutional protections is unprecedented. There is no court that has ever done it. There has been no bill that has passed this House that gives constitutional protections to foreigners abroad.

Americans' constitutional rights are preserved in the Constitution. This amendment undermines our security by giving Americans' constitutional rights here in the United States to foreign adversaries.

Mr. Chair, I urge a ''no'' vote on the Biggs amendment, and a ''no'' vote on this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. ROY. Mr. Chair, to be clear, this amendment is about reporting requirements. However, on the point of the warrant, after the rampant abuses by the Federal Government, it is clear that we should have a warrant requirement under 702 to protect Americans from the querying of incidental communications collected en masse, under a broad reign of power, to target foreign entities. That is the truth.

This is the FBI that targeted Catholics, put pro-life progressive activists in jail, and targeted President Trump.

The proponents give up the game, saying openly the need to target U.S. persons, right here on the floor. The only thing that makes this warrantless collection of millions of Americans' international communications ''lawful'' is the government's certification that it is targeting foreigners and only foreigners.

If the government changes its mind and wants to go after an American, it should have to go back and get the warrant that it skipped on the front end. This is not that hard.

By the way, the argument that we would need 2,000 judges to filter through warrant requirements begs the question. Which is it?

The proponents' own data indicate they would only get a hit for 1 to 2 percent via metadata. Some of those will have exceptions under our warrant amendment that we offered, so it would probably be less than 1 percent; so the 2,000 judges argument is straight up false. It is just not that hard.

If you want to go after an American, if you want to look at their information, get a warrant.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. ROY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TURNER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CLINE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 118–456.

Mr. CLINE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. REPEAL OF AUTHORITY FOR THE RESUMPTION OF ABOUTS COLLECTION.

(a) IN GENERAL.—Section 702(b)(5) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)(5)) is amended by striking '', except as provided under section 103(b) of the FISA Amendments Reauthorization Act of 2017''.

(b) CONFORMING AMENDMENTS.—

(1) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—Section 702(m) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(m)) is amended—

(A) in the subsection heading, by striking ''REVIEWS, AND REPORTING'' and inserting ''AND REVIEWS''; and

(B) by striking paragraph (4).

(2) FISA AMENDMENTS REAUTHORIZATION ACT OF 2017.—Section 103 of the FISA Amendments Reauthorization Act of 2017 (Public Law 115–118; 50 U.S.C. 1881a note) is amended—

(A) by striking subsection (b); and

(B) by striking ''(a) IN GENERAL.—''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Virginia (Mr. CLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CLINE. Mr. Chair, I rise in support of these vital reforms to the Foreign Intelligence Surveillance Act, especially section 702.

While H.R. 7888 in its current form includes many provisions that the Judiciary and Intelligence Committees agree on, it falls short of preventing numerous documented abuses by our government against U.S. citizens.

Congress must act to protect Americans' privacy and civil rights. To do that, any legislation that reauthorizes FISA section 702 must also include a warrant requirement for searches of Americans' communications collected; an end to the law enforcement and intelligence agencies' purchases of Americans' location data and other sensitive information; the reporting requirements offered by Congressman ROY and my amendment, which would permanently end the practice of ''abouts'' collection, which has long been a controversial subject.

On top of collecting communications to or from the selector of an intelligence target, upstream collection of communications from companies that operate internet cables that interconnect with ISPs' local networks has included the collection of communications about the selector.

FISA court opinions from 2011, since declassified, have shone a light on this type of collection and noted that it resulted in the collection of ''tens of thousands of wholly domestic communications each year'' by the NSA due to what was described then as technical limitations in the implementation of ''about'' collection.

This practice has been halted by the FBI, but they have acknowledged that they maintain the right to initiate this upon notification back to Congress.

This must be codified in order to stop this type of abuse from occurring, and my amendment would do that.

Mr. Chair, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

□ 1115

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman very much.

I am delighted to be able to work with the gentleman from Virginia on what I think is crucial to codify, because as you said, the FBI had stopped doing it, but here we are again.

Mr. Chair, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES), the ranking member on the Intelligence Committee.

Mr. HIMES. Mr. Chair, I thank the gentlewoman from Texas and the gentleman from Virginia. I support this amendment and will be recommending a ''yes'' vote on this amendment to the minority caucus.

I surprised the gentleman from Virginia in asking for a minute, because I think it is very important that this Chamber not believe that this is an argument between civil rights and denigrating civil rights.

The Acting CHAIR. The gentleman will suspend.

Does the gentleman from Virginia yield to the gentleman from Connecticut?

Mr. CLINE. I yield to the gentleman.

The Acting CHAIR. For?

Mr. CLINE. For 1 minute.

Ms. JACKSON LEE. I have the time.

The Acting CHAIR. The gentlewoman from Texas may not reyield time.

Ms. JACKSON LEE. I have yielded a minute to the gentleman from Connecticut (Mr. HIMES).

The Acting CHAIR. The gentleman from Virginia controls the time.

Mr. CLINE. If the gentlewoman will yield back, I will yield a minute to the gentleman from Connecticut.

Ms. JACKSON LEE. He had yielded to me, but I will be happy to yield back so he can get his time.

Mr. CLINE. Mr. Chair, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Chair, again, I think I surprised the gentleman from Virginia in saying that I will recommend a ''yes'' vote on this amendment because I think it is very, very important that this not become a debate between civil rights and perhaps those who are less concerned about civil rights.

I will yield to no one in my defense of the civil rights incorporated in our Bill of Rights. I am the ranking member of the Intelligence Committee. I spend my days marinating in the depredations that the Chinese would visit upon us, but I voted against the TikTok ban because I felt it had, and courts have held that it has, First Amendment equities at stake.

This amendment is a good one. ''About'' collection, first of all, is not undertaken today by the IC; it is too technically difficult and too risky. There is too much of a risk that communications that are not about a target to an American get swept up in this ''about'' collection.

I will be adamant and stand with the Second, Ninth, and Tenth Circuits in saying that the Biggs amendment is not addressing constitutional issues, but this is an important amendment that I support.

Mr. CLINE. Mr. Chair, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman from Virginia, the home of my alma mater, the University of Virginia School of Law, and the gentleman from Connecticut, also the home of my alma mater.

To be able to find collegiality in a very important question for the American people is very much a statement that should be made.

This amendment does something Congress should have done 7 years ago, as I have indicated, prohibiting the government from resuming ''abouts'' collection, a form of section 702 surveillance that poses a unique risk to Americans.

It is also very disturbing, Mr. Chair, because most Americans would scratch their heads and wonder why is this relevant to the immediate investigation. ''Abouts'' collection is a collection of communications that are neither to nor from an approved target of surveillance under 702, the Foreign Intelligence Surveillance Act, FISA, but merely contain information relating to that target. That means that you become a target because it happened to be sitting around you or it happened to be going to you or from you.

In the past, ''abouts'' collections focused on collecting communications that include a target's email or phone, address, Twitter handle, or something like that, but in theory ''abouts'' collection could be used to collect emails that merely mention a person who is a target of 702 surveillance.

I think it is extremely important to recognize ''merely mentions'' that individual, and you could have your materials, your private information, wrapped up in a roundup or a lassoing of the extended material that is scattered around you, and you could be subject to some kind of haul, if you will, a hauling in of data about you.

Nothing in the text or legislative history of 702 indicates that this type of surveillance is authorized. That is why I think this amendment with Mr. CLINE is extremely important because it shows that we are working together.

Mr. Chair, I rise today in support of the Cline (VA)/Jackson Lee (TX) Amendment No. 3 to H.R. 7888—Reforming Intelligence and Securing America Act (RISAA).

This amendment does something Congress should have done seven years ago: prohibit the government from resuming ''abouts'' collection, a form of Section 702 surveillance that poses unique risks to Americans.

''Abouts'' collection is the collection of communications that are neither to nor from an approved target of surveillance under Section 702 of the Foreign Intelligence Surveillance Act (FISA), but merely contain information relating to that target.

In the past, ''abouts'' collection focused on collecting communications that include a target's email address, or phone address, or Twitter handle, or something like that. But in theory, ''abouts'' collection could be used to collect emails that merely mention a person who is a target of Section 702 surveillance.

Nothing in the text or legislative history of Section 702 indicates that this type of surveillance is authorized.

Under Section 702, the surveillance must target a non-U.S. person outside the United States. The term ''target'' has a well-understood meaning. When a person is a target, it means the government can collect that person's information or other data, not the communications or data of other individuals.

As we all know, ''abouts'' collection under Section 702 has a sordid history.

The National Security Agency (NSA) used ''abouts'' collection when it was conducting upstream surveillance, in

other words, when it was intercepting communications directly as they transited over the Internet backbone, rather than collecting stored communications from service providers.

Not surprisingly, this practice resulted in the collection of tens of thousands of purely domestic communications—communications between and among Americans inside the United States.

Moreover, often these Americans were not even discussing the target. Instead, their communications were lumped in with other communications, transiting over the Internet backbone as a packet. The NSA was collecting the entire packet of communications, simply because somewhere in that packet was a reference to information about a target.

This was a problem from the moment Section 702 went into effect in 2008. And yet for years, the government did not disclose this problem to the FISA Court.

To the contrary, the government affirmatively misrepresented how the program was working. It was not until 2011 that the court learned the government was sweeping in tens of thousands of purely domestic communications.

The court was livid. It noted that the belated disclosure, and I quote, ''marks the third instance in less than three years in which the government has disclosed a substantial misrepresentation regarding the scope of a major collection program.''

At the time, the court chose not to prohibit the use of ''abouts'' collection. But it held that special minimization rules were required for upstream communications, and that without those rules, the program would violate both Section 702 and the Fourth Amendment. One of those rules was a prohibition on U.S. person queries of communications obtained through upstream surveillance.

Five years later, the NSA discovered that its agents had been routinely violating this prohibition. But rather than immediately report these violations to the FISA Court, the NSA waited for several months. When it finally admitted the violations, the FISA Court chastised the NSA for its ''institutional lack of candor,'' and refused to approve the continuation of Section 702 surveillance until the NSA cleaned up its act.

The NSA proved incapable of bringing its agents into compliance. The agents continued to routinely search though the upstream data in an effort to find and review Americans' communications, in violation of Section 702, the Fourth Amendment, and the FISA Court's orders. Well aware that the court would not continue to approve Section 702 surveillance under these conditions, the NSA, in 2017, made the only decision it could: it terminated ''abouts'' collection.

Well, it has now been seven years since the NSA stopped ''abouts'' collection, and the government has not claimed that ending this practice has resulted in a loss of critical intelligence or had any other kind of negative impact on national security. No official has pointed to a single bad result that could have been averted through the use of ''abouts'' collection.

Collecting communications that are neither to nor from an approved target of surveillance is contrary to the text and intent of Section 702.

It inevitably results in the collection of wholly domestic communications, which Section 702 expressly prohibits.

Over the course of a decade, the NSA proved that it was incapable of operating ''abouts'' surveillance responsibly and in accordance with the law—and the past seven years shown that ''abouts'' collection is not necessary for national security.

It is time for Congress to shut the door on ''abouts'' collection.

In the future, if the government can show that it needs ''abouts'' collection for national security purposes and that it can operate the program without violating the law and the Fourth Amendment, it can come to Congress and ask for authorization. But the burden should be on the government to show the need and the ability to lawfully conduct the program.

For these reasons, I urge my colleagues to vote in favor of the Cline/Jackson Lee Amendment No. 3.

Mr. Chair, I include in the record a letter from Representative CLINE and myself listing the groups in support of this amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 12, 2024.

DEAR COLLEAGUE: Please join us in supporting our amendment to H.R. 7888, the Reforming Intelligence and Securing America Act. Rules Amendment No. 5 would end what is known as ''abouts'' collection, which involves the capturing of massive amounts of communications by government agencies such as the National Security Agency (NSA) in which the selector, for example, an email address, of a target appears somewhere in communications, even if that target is not a party to the communications. It has long been controversial.

The FISA Court previously discovered that the government had misrepresented its activities and held that handling this type of data was of significant concern and a violation of the Fourth Amendment. Although the NSA abandoned the practice of ''abouts'' collection in 2017, Congress in 2018 amended FISA to prohibit this type of collection unless the AG and DNI notify the House and Senate Intelligence and Judiciary Committees of its plans to resume such collection. But that only means that if the NSA notifies Congress, they can resume ''abouts'' collection at any time. Our amendment would proactively end the practice for good.

The following groups support this important amendment:

Freedom Works—Key Vote; Due Process Institute; Americans for Prosperity; Project for Privacy and Surveillance Accountability; Reform Government Surveillance; Center for Democracy and Technology; American Civil Liberties Union; Electronic Privacy Information Center (EPIC); Restore the Fourth; Defending Rights & Dissent; Brennan Center for Justice; Wikimedia Foundation.

Demand Progress; Electronic Frontier Foundation; Project on Government Oversight; United We Dream; Asian Americans Advancing Justice; Muslim Advocates; Free Press Action; National Association of Criminal Defense Lawyers; Freedom of the Press Foundation; New America's Open Technology Institute; Fight for the Future; Stop AAPI Hate.

We urge you to vote in favor of Amendment No. 5.

Sincerely,

BEN CLINE,
Member of Congress.
SHEILA JACKSON LEE,
Member of Congress.

The Acting CHAIR. The time of the gentleman from Virginia has expired.

Mr. TURNER. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER. Mr. Chair, I claim the time in opposition because the National Security Agency stopped ''abouts'' collection in 2017 because it was fraught with peril. This amendment is not necessary because the intelligence community is not doing this and hasn't been doing it since 2017.

I do want to go back and assist somewhat in the debate of some of the terms that are occurring with respect to the Biggs-Jayapal amendment.

The Biggs-Jayapal amendment, as I indicated, would make us go blind. It would make it so that we can't read the inboxes and outboxes of foreigners abroad who are al-Qaida, Hamas, Hezbollah, and the Chinese Communist Party.

The reason I say that is because 702, which is the underlying bill here that is being reauthorized, is tailored only to the adversaries and those who want to do us harm. It is for national security threats. It is for our adversaries. Their inbox and their outbox are not protected. If you are a terrorist or if you are committing espionage or you are a spy and you are communicating with the Chinese Communist Party or Hezbollah, Hamas, or al-Qaida, right now, because we are spying on them, we can read those communications. America wants us to read those communications because it is how we keep America safe.

On 9/11, we had terrorists inside the United States. For all intents and purposes, as people were saying in this debate, they were Americans. They weren't American citizens, but under this law, they were Americans and they had protection under the Constitution. Their communications to al-Qaida were not protected. At that time, we weren't looking. We were not looking. We were blind and we were not listening.

Now, we are looking. If somebody is in this country and they are a terrorist or they are a spy for the Chinese Communist Party, we are looking at the Chinese Communist Party and al-Qaida. In reading those, we can take those to a court and get a warrant and then keep America safe from people who are here who intend to do us harm. This would shut that off. It would

make us be blind with respect to those communications.

Mr. Chair, vote ''no'' on the Biggs-Jayapal amendment, and vote ''no'' on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CLINE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CRENSHAW

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 118–456.

Mr. CRENSHAW. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. ___. INCLUSION OF COUNTERNARCOTICS IN DEFINITION OF FOREIGN INTELLIGENCE.

Section 101(e)(1) is amended—

(1) in subparagraph (B), by striking ''; or'' and inserting a semicolon; and

(2) by adding at the end the following new subparagraph:

''(D) international production, distribution, or financing of illicit synthetic drugs, opioids, cocaine, or other drugs driving overdose deaths, or precursors of any aforementioned; or''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Texas (Mr. CRENSHAW) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CRENSHAW. Mr. Chair, I want to let my fellow Americans know something that might shock them.

We all know that fentanyl is a scourge on our country. We all know that fentanyl is produced by the Mexican drug cartels. We all know that the precursor chemicals for fentanyl come from Chinese companies.

What you might not know is that we can't even get a FISA warrant to stop that, to collect intelligence on those production companies, on those attorneys, on those bankers, on those facilitators that help the cartels murder and poison tens of thousands of Americans every single year.

That is a pretty shocking statement. I bet you didn't know that. You should know that.

FISA, despite all of the misinformation put out about it, is actually very narrowly tailored. It only allows you to get a warrant on a foreigner in foreign land if it is related to foreign intelligence, if it is related to countering weapons of mass destruction, or if it is related to counterterrorism. Nowhere in there is there anything about counternarcotics, the thing that is actually killing Americans today and every single day.

My amendment would simply upgrade that categorization to ensure that we can collect intelligence on the Chinese precursor being shipped into Mexico and into our own country so that we can actually stop the death of Americans.

It is a very narrowly tailored amendment. It is not about all drug traffickers. It does not swoop in a bunch of Americans. It is about international drug traffickers trafficking illicit synthetics that are killing people.

It is a very simple amendment. It is a bipartisan amendment. It is one of the biggest things that I have learned in my role as chairman on the cartel task force, that we actually are blind to the supply chains of fentanyl.

To be against this amendment is to say we should give the cartels and China more Fourth Amendment rights and more First Amendment rights than we have. That is what it would mean in practice. I hope that anyone who votes against this amendment stops talking about the cartels being a problem. If we are not even allowed to collect intelligence on the cartels, then what are we doing?

Mr. Chair, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HOULAHAN).

Ms. HOULAHAN. Mr. Chair, today, I also rise in support of this important amendment that will help our intelligence community, strengthen our southern border, and save American lives.

This amendment will fully enlist our country's intelligence agencies in the fight against foreign drug traffickers. Foreign-made fentanyl is killing tens of thousands of Americans every year. It is critical that we start treating this danger as the very serious national threat that it is.

My legislation, which is called the Enhancing Intelligence Collection on Foreign Drug Traffickers Act, is now the bipartisan amendment that is led by myself and Mr. CRENSHAW. This would allow our intelligence community to counter drug cartels as they attempt to bring deadly fentanyl to our shores.

Today, the intelligence community can only leverage section 702 against counternarcotics targets under one of the existing certifications, none of which are focused currently on drug trafficking.

This amendment would close that gap, without expanding domestic law enforcement's abilities to police drug dealers, in order to keep fentanyl from ever reaching the United States.

Mr. Chair, I urge my colleagues to pass this legislation, to pass the counternarcotics amendment led by myself and Mr. CRENSHAW, and to reject any amendment that would put our national security at risk.

Mr. CRENSHAW. Mr. Chair, to those opposed to the underlying bill, I understand. We are going to have to agree to disagree, but I cannot imagine being opposed to this amendment, even if you vote against the overall bill.

I thought we all agreed that the cartels are one of our number one threats. They are killing tens of thousands of Americans every year by poisoning them with fentanyl. We need to know how they are doing it. We need to know who their suppliers are. We need to know who is laundering their money. We can't know that within our current law. All we have to do is allow ourselves to do it.

This is one of the most important things that I think our constituents actually care about. If we are going to act like we have sympathy for the sons and daughters who have been killed from an overdose of fentanyl, then we actually have to take action on it.

I have got to say, too, that the warrant amendment would kill our ability to do this. Remember, the whole point of drug trafficking is to get it in the United States.

The whole point of terrorism is to conduct a terrorist attack here in the United States.

When you are collecting intelligence on foreigners, the only way they do those things is to communicate with entities inside the United States. To demand a secondary warrant just to search that communication kills our ability to connect those dots.

Mr. Chair, I yield back the balance of my time.

Mr. BISHOP of North Carolina. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BISHOP of North Carolina. Mr. Chair, the Crenshaw amendment would expand FISA's definition of foreign intelligence to encompass international drug crimes.

FISA is a counterintelligence and counterterrorism tool. It is limited to that purpose. The clear distinction between foreign intelligence and crime are essential to preserving the fundamental liberties of Americans under our constitutional system.

□ 1130

It is the essential design of the law: spying abroad, criminal justice at home.

Simply redefining foreign intelligence to include ordinary crime eviscerates the entire distinction on which the design of the FISA law rests.

Moreover, the Intelligence Committee proponents of this amendment fail even to explain to us why this blurred definition is needed. They assert it, but they don't explain it.

After all, the DNI's FISA section 702 fact sheet lists the government's use of section 702 to learn about our adversaries' plans to smuggle fentanyl into the United States as the number one successful use of existing section 702.

If section 702 already allows us to go after fentanyl, then why do we need to change and blur the critical definition of foreign intelligence? What is the purpose of doing so? What comes next?

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. The gentleman has the only time remaining.

Mr. BISHOP of North Carolina. Mr. Chair, I yield 1 minute to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Chair, I thank the gentleman from North Carolina for yielding.

I will just note that I certainly appreciate the intent of my friend and colleague from Texas. Obviously, we want to go after cartels, and we want to make sure we can stop the flow of fentanyl into our communities that is killing and ravaging Texans and Americans across our country.

The problem here is it is unnecessary. They can go certify right now. They can go right now and certify a whole other class. We don't need this law to do that. That is the important part. We don't need this amendment, and we don't need to risk expanding it.

Be that as it may, here is my real problem. Just today we have information where we had a terrorist on an Afghan watch list who was released into San Antonio, Texas. ICE just walked away from it, and now we have somebody on the terrorist watch list sitting in San Antonio, Texas.

So am I supposed to say I want to grant more power to the intelligence community and more power to the government that is releasing terrorists as we speak onto the streets of Texas? It defies any kind of logic.

They have the tools to do what they need to go after fentanyl without expanding FISA, which is being abused against Americans.

By the way, Mr. Chair, you need the warrant requirement in order to protect against expansion of FISA.

Mr. BISHOP of North Carolina. Mr. Chair, everyone agrees that the fentanyl crisis is a terrible and serious public health and crime issue, but a mass, warrantless surveillance tool created by word games is not the answer. It is dangerous.

Indeed, the willingness and desire of some to create exactly that points back to the reason that Congress must impose a warrant requirement to deter the abuse of the section 702 foreign intelligence database collected to surveil foreigners abroad to permit backdoor searches against Americans. That is the issue.

Oppose the Crenshaw amendment and support the Biggs amendment to make them get a warrant.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CRENSHAW).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CRENSHAW. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. WALTZ

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 118–456.

Mr. WALTZ. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. ____. VETTING OF NON-UNITED STATES PERSONS.

Subsection (f) of section 702, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(6) VETTING OF NON-UNITED STATES PERSONS.—For any procedures for one or more agencies adopted under paragraph (1)(A), the Attorney General, in consultation with the Director of National Intelligence, shall ensure that the procedures enable the vetting of all non-United States persons who are being processed for travel to the United States using terms that do not qualify as United States person query terms under this Act.''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Florida (Mr. WALTZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. WALTZ. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my amendment to permit the use of 702 information to vet foreign nationals entering the United States. This amendment enables the thorough vetting of all foreigners being processed for traveling to the United States, whether that is a foreign national applying for a visa, applying for legal immigration, or illegally crossing our southern border.

This is what I think a lot of Americans probably don't realize: Currently, section 702 has only been authorized to collect information to support some Department of Homeland Security efforts to screen and vet foreign persons applying for travel or immigration to the United States. This amendment will enhance the vetting of all foreigners who come here.

If national security concerns are found through this vetting, these results will be provided to the Department of Homeland Security, the State Department, and the Department of Defense to ensure the Federal Government is making the most informed decision before we allow foreign nationals' admission.

Mr. Chair, we are 3 years into the worst crisis at the southern border in the history of the United States. Last year, Customs and Border Protection reported 2½ million encounters with people attempting to cross into the United States from Mexico. Alarmingly, over the last 2 years, CBP has apprehended more than 70,000 special interest aliens, people from countries identified as having conditions that promote or protect terrorism.

Mr. Chair, the FBI Director is ringing the alarm bell with the over 300 people on the terrorist watch list who are now somewhere in America compared to just 12 under the last administration. This population includes 538 aliens from Syria and 659 aliens from Iran, two state sponsors of terrorism, I might add, in addition to 139 from Yemen, which right now houses the Houthis, and over 1,600 from Pakistan. We just saw ISIS-K attack Moscow. We have just seen six plots stopped in Europe, and I fear that we are about to suffer another attack like San Bernardino, like Pulse nightclub, or, God forbid, another 9/11.

Equally concerning, the fastest growing group entering through our southern border is now from China, our number one adversary. Over 24,000 Chinese nationals have been apprehended at the southern border just in the last year. Of the 1.3 million illegal immigrants in the United States with deportation orders, over 100,000 are Chinese nationals.

The American people expect us to use every tool we legally can, every intelligence piece of equipment and every database that we can, to protect them against foreigners who would mean us harm.

Mr. Chair, we have these tools. We have reformed the abuses of these tools, and we have to allow our national security professionals to have the best information possible to keep Americans safe. We can't wait until there is another attack and then throw up our hands in this body and say: Why didn't we stop it?

I am astounded, frankly, that anyone, any Republican, would oppose this amendment after we have been here time and time again saying that we have to protect our border, that we have to protect Americans, and that if you want to come to the United States, then, fine, you need to do so legally, but we are going to look into your background, we are going to make sure you are not a terrorist, and we are going to make sure you are not a Chinese national spy who means to do us harm.

Mr. Chair, I urge my colleagues to support this and use every tool we can to keep Americans safe, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chair, now they want to expand it. This is the second amendment in a row where they are going to expand FISA.

We can't have a warrant for the existing program, this giant haystack of information. You can't have a warrant when you go search American citizens there, but now they want to expand it and tell us you still can't have a warrant.

Holy cow. Pretty soon, this is going to be everybody gets searched for any darned reason they want. That is not how it works in America, at least it is not how it is supposed to work.

The third amendment is going to expand it, too. We spent all morning talking about the warrant requirement, which should be so obvious, and they want to expand it.

Mr. Chair, I understand we have a border problem. Holy cow, do we understand that. I may not agree with my

Democratic colleagues on how to fix it. In fact, I know I don't, but expanding FISA, you have to be kidding me. This amendment authorizes surveillance of a whole new category of individuals.

We should absolutely vet foreigners who seek to enter the United States, whether legally or illegally, but Congress should not expand FISA or section 702 beyond its current scope of authority.

This whole year, we have been focusing our committee on limiting FISA and reining it in so that we still can do what we needs to be done: look after bad guys and look at bad guys but not infringe on Americans' liberties. This just expands it. That is not what the purpose of this bill is.

We should address the border problem. Holy cow, our committee spent a boatload of time on it. That is an issue where, unfortunately, we didn't get a 35–2 vote on H.R. 2, which is a good piece of legislation.

This is going to sweep up so many more Americans, where the FBI 278,000 times illegally—not illegally but didn't follow their own rules when they queried the database. Now, they have even more.

Holy cow, Mr. Chair, this is the wrong way to go.

Mr. Chair, I yield 2 minutes to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Chair, I rise in strong opposition to this amendment, and, yes, I agree with Chairman JORDAN on an immigration amendment because this is an expansion of the government's ability to surveil. We have this opportunity right here in Congress today to add critical safeguards and not expand the government's use of this surveillance authority.

This inexcusable expansion of FISA will further increase warrantless surveillance, and it is at the expense of a whole slew of innocent immigrants.

People seeking to come to this country are not monolithic communities cut off from Americans. Many of them are close family members of U.S. citizens seeking reunification through family sponsorship or just a simple visit. Many others are sponsored by U.S. employers.

There is already ample vetting of immigrants. Just look at refugees, who are the most vetted group of people who come to this country. It takes years of vetting through multiple agencies, including the FBI, the National Counterterrorism Center, and other agencies.

This amendment is only going to make these processing backlogs worse. It will further delay American businesses from getting the workers we need to maintain our competitiveness and our ability to attract the best and the brightest. It could harm local economies that rely on tourism as delays in processing travel visas deter people from travel to America.

We should not be expanding FISA. We should be creating safeguards to protect foundational civil liberties rights.

Earlier, one of my colleagues claimed that not a single Federal court has identified a Fourth Amendment issue with U.S. person queries. Mr. Chair, that is false. In 2019, the U.S. Court of Appeals for the Second Circuit found Fourth Amendment concerns with U.S. person queries, and that issue is still being debated.

We are talking about an average of 500 warrantless searches of Americans' private communications every single day. Don't take it from me.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. JORDAN. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Washington.

Ms. JAYAPAL. Here is a quote from Travis LeBlanc, a Privacy and Civil Liberties Oversight Board member:

> Although section 702 is touted as a foreign intelligence tool, it is apparent that a key feature is domestic intelligence and criminal law enforcement. For example, DOJ reported that the FBI queried over 19,000 donors to a congressional campaign. The FBI also has run numerous improper queries of social advocates, religious community leaders, and even individuals who provide tips or who are victims of crime. Five million warrantless searches by the FBI of Americans' private communications is 5 million too many.

Vote ''no'' on this amendment.

Mr. JORDAN. I will close my time by saying, Mr. Chairman, every time you expand FISA, you underscore the need for a warrant. The bigger and bigger this database gets and the more that U.S. persons are going to be searched, you underscore the need for a warrant, which we spent a whole morning debating.

Mr. Chair, I yield back the balance of my time.

Mr. WALTZ. Mr. Chair, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Florida has 1 minute remaining.

Mr. WALTZ. Mr. Chair, I find it astounding the leader of the Progressive Caucus, Ms. JAYAPAL, and Mr. JORDAN agree on these issues.

Mr. Chair, I yield the balance of my time to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chair, we had Members stand and say that they are for vetting foreigners who want to come into the United States. I assume we should vet them for whether or not they have ties to terrorist groups and organizations. Perhaps we should just ask them because I am sure they will tell us the truth, but they won't, which is why we have 702. Section 702 collects information on foreigners abroad and terrorist groups and organizations.

What this amendment does is it allows us to search Hamas on these individuals who want to come into the United States, to find out if they are affiliated with Hamas because they are not just going to tell us.

□ 1145

If my colleagues are for vetting, my colleagues are for vetting, looking at terrorist groups and organizations to see if they have ties to people who are trying to come into the United States.

Mr. WALTZ. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. WALTZ).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JAYAPAL. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. TURNER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 118–456.

Mr. TURNER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. ___. DEFINITION OF ELECTRONIC COMMUNICATION SERVICE PROVIDER.

(a) Section 701(b)(4) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F);

(2) in subparagraph (D), by striking ''; or'' and inserting a semicolon;

(3) by inserting after subparagraph (D) the following new subparagraph:

''(E) any other service provider who has access to equipment that is being or may be used to transmit or store wire or electronic communications, but not including any entity that serves primarily as—

''(i) a public accommodation facility, as that term is defined in section 501(4);

''(ii) a dwelling, as that term is defined in section 802 of the Fair Housing Act (42 U.S.C. 3602);

''(iii) a community facility, as that term is defined in section 315 of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592n); or

''(iv) a food service establishment, as that term is defined in section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638); or'';

(4) in subparagraph (F), as redesignated—

(A) by inserting ''custodian,'' after ''employee,'';

(B) by striking ''or'' before ''(D)''; and

(C) by inserting '', or (E)'' after ''(D)''.

(b) Paragraph (6) of section 801 of the Foreign Intelligence Surveillance Act of 1978 is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) in subparagraph (F), as redesignated, by striking ''; or'' and inserting a semicolon;

(3) by inserting after subparagraph (D) the following new subparagraph:

''(E) any other service provider who has access to equipment that is being or may be used to transmit or store wire or electronic communications, but not including any entity that serves primarily as—

''(i) a public accommodation facility, as that term is defined in section 501(4);

''(ii) a dwelling, as that term is defined in section 802 of the Fair Housing Act (42 U.S.C. 3602);

''(iii) a community facility, as that term is defined in section 315 of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592n); or

''(iv) a food service establishment, as that term is defined in section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638);''; and

(4) in subparagraph (G), as redesignated—

(A) by inserting ''custodian,'' after ''employee,'';

(B) by striking ''or'' before ''(E)''; and

(C) by inserting '', or (F)'' after ''(E)''.

The Acting CHAIR. Pursuant to House Resolution 1137, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER. Mr. Chair, there is a SCIF off of the House floor to provide additional information to Members that I am not able to present here.

This amendment is to correct a technical issue that was found by the FISA court with respect to critical intelligence and a technological issue in which there was a gap.

Again, 702 is about collecting data and information on foreigners abroad. You have to be both. You have to be a foreigner, and you have to be abroad. You can't be a foreigner in the United States, and you can't be an American abroad. It is about foreigners abroad.

There have been people who have been saying on this amendment that this is about collecting at your local Starbucks, this is about collecting at your local McDonald's. It is not. It is about foreigners abroad.

I end with this: With respect to the Biggs-Jayapal amendment, this important surveillance tool of foreigners abroad is limited to just foreigners abroad and individuals who are in the United States who are being recruited by terrorist groups and organizations and the Chinese Communist Party when they communicate with them and their communications end up in the inboxes of the Chinese Communist Party, Hezbollah, Hamas, and al-Qaida.

If we are reading the inbox of al-Qaida, Hezbollah, Hamas, and the Chinese Communist Party, and there is an email in there from somebody located in the United States because they are being recruited, either to do espionage, or because they are being recruited for terrorism, my colleagues want the government to read that.

Now, our constitutional protections, which we dearly uphold here and everybody is committed to, is that no American shall have their inbox, their outbox, their electronic communications, and their data spied on by their government. Our constitutional protections require that there be a warrant, and no one should stand in this well and pretend that they do not.

There are constitutional protections for American communications within their data. However, if a person located in the United States is communicating with al-Qaida, Hamas, and the Chinese Communist Party, in this limited group of people that we collect under 702, they can pose a threat to this country.

Additionally, if the Biggs-Jayapal amendment passes, we will go dark. We will no longer see solicitations from the Chinese Communist Party to students in the United States to go and spy for them.

We will no longer see al-Qaida recruiting people in the United States to undertake terrorist attacks.

We will no longer see people who are sympathetic with Hamas, who contact Hamas and say: How can I perpetrate a terrorist attack in the United States?

It is imperative that the Biggs-Jayapal amendment fail and that this underlying bill, which punishes the FBI but protects the American people, pass.

Mr. Chair, I urge passage of this bill and a ''no'' vote on the Biggs-Jayapal amendment, and I yield back the balance of my time.

Mr. BIGGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chair, like all the amendments offered by HPSCI, this amendment drastically expands the scope of FISA. This amendment will actually change the definition of ''electronic communication service provider'' to require a whole new class of businesses and other entities to assist in FISA section 702 surveillance.

When the amendment first came out 1½ months ago, it caused a massive commotion, as can be imagined. One of the FISA amici did something highly unusual. He went public with a warning. He confirmed that the amendment originally was exactly as broad as it looked, in that it could force hotels, libraries, and coffee shops to serve as surrogate spies because, of course, customers in those establishments might well be engaging in international communications, which would transit over the WiFi equipment in those locations. That was the original.

Therefore, the amendment sponsors threw in an exemption for hotels, libraries, coffee shops and a handful of other establishments, but that hardly solves the problem because the vast majority of U.S. businesses are not exempted. Hence, the amendment would still apply to grocery stores, department stores, hardware stores, barber shops, laundromats, fitness centers, nail salons.

Perhaps most worrisome of all, it would apply to business landlords who rent out office space and provide WiFi for their building. That would include the offices that many of us in this room go to when we are back in our districts, as well as the offices of tens of millions of Americans across the country, offices for lawyers, journalists, nonprofits, and others.

That is how expansive this amendment is. That is why we should defeat this amendment.

Mr. Chair, I have enjoyed all the attention the Biggs-Jayapal-Jordan-Nadler-Davidson-Lofgren amendment has received. It has been flattering that, on every other amendment and the underlying bill, we don't talk about any of that other stuff, and we talk about the warrants.

That gets to the reality of the situation. The intelligence community wants control. They want to continue to have control without any checks.

The Biggs amendment does not require a warrant for the government to surveil foreigners in foreign countries or to incidentally collect the communication of Americans under section 702.

Let me repeat that. The amendment does not require a warrant for the government to surveil foreigners in foreign countries, nor does it require a warrant for incidentally collecting the communications of Americans under section 702. It just doesn't, but that is what was heard.

Instead, it requires that the Federal Government and the spying and surveillance apparatus get a warrant if they want to read an American's communications or query them in the 702 database. That is what the essence of this is.

They don't want to have to get a warrant. They are okay with getting a warrant under title I of FISA, but not under 702 for some reason. It is very odd.

Additionally, not only do they not want to get a warrant, but they want to expand the database and the scope of the Americans that they can scoop up in that database to include, in this particular amendment, virtually every retail outlet in the country, virtually every commercial enterprise in the country, virtually every commercial property in this country, but we don't want to have a warrant if we are going to look into U.S. persons' information. We don't want to do that. After all, that might cause them to actually develop information and investigate further.

Let me tell you something. This underlying bill loses its quality if the Biggs amendment on the warrant amendment doesn't pass.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. ELLZEY). The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TURNER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 118–456 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BIGGS of Arizona.

Amendment No. 2 by Mr. ROY of Texas.

Amendment No. 4 by Mr. CRENSHAW of Texas.

Amendment No. 5 by Mr. WALTZ of Florida.

Amendment No. 6 by Mr. TURNER of Ohio.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BIGGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1, printed in House Report 118–456, offered by the gentleman from Arizona (Mr. BIGGS), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 212, not voting 13, as follows:

[Roll No. 114]

AYES—212

Adams	Finstad	Massie
Alford	Fischbach	Mast
Allen	Fitzgerald	Matsui
Amodei	Fleischmann	McClain
Armstrong	Foushee	McClintock
Arrington	Foxx	McCormick
Baird	Frost	McGarvey
Balint	Fry	McGovern
Banks	Fulcher	Meng
Bean (FL)	Gaetz	Meuser
Beatty	García (IL)	Mfume
Bentz	Garcia (TX)	Miller (IL)
Bergman	Garcia, Robert	Mills
Biggs	Good (VA)	Molinaro
Bilirakis	Gooden (TX)	Moolenaar
Bishop (NC)	Gosar	Moore (AL)
Blumenauer	Graves (LA)	Moore (WI)
Boebert	Green (TN)	Moran
Bonamici	Green, Al (TX)	Nadler
Bost	Greene (GA)	Napolitano
Bowman	Griffith	Nehls
Brecheen	Grothman	Newhouse
Brown	Guest	Norman
Burchett	Hageman	Norton
Burlison	Harris	Ocasio-Cortez
Bush	Harshbarger	Ogles
Cammack	Hern	Omar
Cárdenas	Higgins (LA)	Owens
Carey	Horsford	Pallone
Casar	Houchin	Palmer
Castro (TX)	Hoyle (OR)	Peltola
Cherfilus-McCormick	Hudson	Perry
	Huffman	Pingree
Chu	Huizenga	Pocan
Ciscomani	Hunt	Porter
Clarke (NY)	Issa	Posey
Cline	Jackson (IL)	Pressley
Cloud	Jackson (NC)	Ramirez
Clyde	Jackson (TX)	Reschenthaler
Collins	Jackson Lee	Rodgers (WA)
Comer	Jacobs	Rose
Correa	James	Rosendale
Crane	Jayapal	Ross
Crockett	Johnson (SD)	Roy
Curtis	Jordan	Sablan
Davidson	Joyce (PA)	Salinas
Davis (IL)	Kamlager-Dove	Scanlon
DeGette	Khanna	Schakowsky
DelBene	Kildee	Scholten
Deluzio	Kiley	Schweikert
DeSaulnier	LaMalfa	Scott (VA)
DesJarlais	Langworthy	Self
Dingell	Lee (CA)	Sessions
Doggett	Lee (FL)	Sherman
Donalds	Lee (PA)	Simpson
Duncan	Leger Fernandez	Smith (MO)
Dunn (FL)	Lofgren	Smith (NJ)
Edwards	Loudermilk	Spartz
Emmer	Luna	Stansbury
Escobar	Luttrell	Stauber
Espaillat	Mace	Steel
Evans	Maloy	Steil
Fallon	Mann	Steube
Takano	Torres (NY)	Webster (FL)
Thanedar	Van Drew	Westerman
Thompson (PA)	Van Duyne	Williams (GA)
Tiffany	Velázquez	Williams (NY)
Timmons	Walberg	Williams (TX)
Tlaib	Waters	Wilson (SC)
Tokuda	Watson Coleman	Yakym
Tonko	Weber (TX)	Zinke

NOES—212

Aderholt	Goldman (NY)	Nickel
Aguilar	Gomez	Norcross
Allred	Gonzales, Tony	Nunn (IA)
Amo	Gonzalez, Vicente	Obernolte
Auchincloss		Panetta
Bacon	Gottheimer	Pappas
Balderson	Granger	Pascrell
Barr	Graves (MO)	Pelosi
Barragán	Guthrie	Pence
Bera	Harder (CA)	Peters
Beyer	Hayes	Pettersen
Bice	Hill	Pfluger
Bishop (GA)	Himes	Phillips
Blunt Rochester	Hinson	Quigley
Boyle (PA)	Houlahan	Raskin
Brownley	Hoyer	Rogers (AL)
Buchanan	Ivey	Rogers (KY)
Bucshon	Jeffries	Rouzer
Budzinski	Johnson (GA)	Ruiz
Burgess	Johnson (LA)	Ruppersberger
Calvert	Joyce (OH)	Rutherford
Caraveo	Kaptur	Ryan
Carbajal	Kean (NJ)	Salazar
Carl	Keating	Sánchez
Carson	Kelly (IL)	Sarbanes
Carter (GA)	Kelly (MS)	Scalise
Carter (LA)	Kelly (PA)	Schiff
Carter (TX)	Kiggans (VA)	Schneider
Cartwright	Kilmer	Schrier
Case	Kim (CA)	Scott, Austin
Casten	Kim (NJ)	Scott, David
Castor (FL)	Krishnamoorthi	Sewell
Chavez-DeRemer	Kuster	Sherrill
Clark (MA)	Kustoff	Slotkin
Cleaver	LaHood	Smith (NE)
Clyburn	LaLota	Smith (WA)
Cohen	Lamborn	Smucker
Cole	Landsman	Sorensen
Connolly	Larsen (WA)	Soto
Costa	Larson (CT)	Spanberger
Courtney	Latta	Stanton
Craig	LaTurner	Stefanik
Crawford	Lawler	Stevens
Crenshaw	Lee (NV)	Strong
Crow	Letlow	Suozzi
Cuellar	Levin	Swalwell
D'Esposito	Lieu	Sykes
Davids (KS)	Lucas	Tenney
Davis (NC)	Lynch	Thompson (CA)
De La Cruz	Magaziner	Thompson (MS)
Dean (PA)	Malliotakis	Titus
DeLauro	Manning	Torres (CA)
Diaz-Balart	McBath	Trahan
Duarte	McCaul	Trone
Ellzey	McClellan	Turner
Eshoo	McCollum	Underwood
Estes	McHenry	Valadao
Ezell	Meeks	Van Orden
Feenstra	Menendez	Vargas
Ferguson	Miller (OH)	Vasquez
Fitzpatrick	Miller (WV)	Veasey
Fletcher	Miller-Meeks	Wagner
Flood	Moore (UT)	Waltz
Foster	Morelle	Wasserman Schultz
Frankel, Lois	Moskowitz	
Franklin, Scott	Moulton	Wenstrup
Gallagher	Moylan	Wexton
Garamendi	Mrvan	Wild
Garbarino	Mullin	Wilson (FL)
Garcia, Mike	Murphy	Womack
Gimenez	Neal	
Golden (ME)	Neguse	

NOT VOTING—13

Babin	Luetkemeyer	Radewagen
Gallego	Mooney	Strickland
González-Colón	Payne	Wittman
Grijalva	Perez	
Lesko	Plaskett	

□ 1227

Messrs. BURGESS, NUNN of Iowa, Ms. WILD, Mr. SMITH of Washington, Mses. BROWNLEY, and WILSON of Florida changed their vote from ''aye'' to ''no.''

Mses. LEE of California, MOORE of Wisconsin, CLARKE of New York, Messrs. JACKSON of Illinois, and SIMPSON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. ROY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2, printed in House Report 118–456, offered by the gentleman from Texas (Mr. ROY), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 269, noes 153, not voting 15, as follows:

[Roll No. 115]

AYES—269

Adams	Crane	Harder (CA)
Aderholt	Crockett	Harris
Alford	Cuellar	Harshbarger
Allen	Curtis	Hayes
Amodei	D'Esposito	Hern
Armstrong	Davidson	Higgins (LA)
Arrington	Davis (IL)	Hill
Bacon	De La Cruz	Hoyle (OR)
Baird	Dean (PA)	Hudson
Balderson	DeGette	Huffman
Balint	DelBene	Huizenga
Banks	Deluzio	Hunt
Barr	DeSaulnier	Issa
Barragán	DesJarlais	Ivey
Bean (FL)	Dingell	Jackson (IL)
Beatty	Doggett	Jackson (NC)
Bentz	Donalds	Jackson (TX)
Bergman	Duncan	Jacobs
Bice	Edwards	James
Biggs	Ellzey	Jayapal
Bilirakis	Escobar	Jeffries
Bishop (NC)	Espaillat	Johnson (LA)
Blumenauer	Estes	Johnson (SD)
Blunt Rochester	Evans	Jordan
Boebert	Ezell	Joyce (PA)
Bonamici	Fallon	Kaptur
Bost	Feenstra	Kean (NJ)
Bowman	Ferguson	Khanna
Brecheen	Finstad	Kildee
Brown	Fischbach	Kiley
Buchanan	Fitzgerald	Kim (CA)
Bucshon	Fleischmann	Kuster
Burchett	Flood	LaLota
Burgess	Foster	LaMalfa
Burlison	Foushee	Lamborn
Bush	Franklin, Scott	Langworthy
Cammack	Frost	Latta
Carey	Fry	LaTurner
Carl	Fulcher	Lawler
Carter (GA)	Gaetz	Lee (CA)
Casar	Garbarino	Lee (FL)
Castro (TX)	Garcia (IL)	Lee (PA)
Chavez-DeRemer	Garcia (TX)	Letlow
Cherfilus-McCormick	Garcia, Robert	Levin
	Gimenez	Lieu
Chu	Good (VA)	Lofgren
Clark (MA)	Gooden (TX)	Loudermilk
Clarke (NY)	Gosar	Luna
Cleaver	Graves (LA)	Luttrell
Cline	Green (TN)	Mace
Cloud	Green, Al (TX)	Malliotakis
Clyde	Greene (GA)	Maloy
Cohen	Griffith	Mann
Collins	Grothman	Massie
Comer	Guest	Mast
Correa	Guthrie	Matsui
Courtney	Hageman	McClain

McClintock
McCormick
McGarvey
Meng
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Moore (AL)
Moore (WI)
Moran
Morelle
Moylan
Mullin
Nadler
Napolitano
Nehls
Newhouse
Norman
Norton
Obernolte
Ocasio-Cortez
Ogles
Omar
Owens
Pallone
Palmer
Pappas
Peltola
Pence
Perez
Perry
Pfluger
Pingree
Pocan
Porter
Posey
Pressley
Ramirez
Raskin
Reschenthaler
Rodgers (WA)
Rose
Rosendale
Ross
Roy
Sablan
Salinas
Sánchez
Scalise
Scanlon
Schakowsky
Scholten
Schrier
Schweikert
Scott (VA)
Scott, David
Self
Sessions
Sherman
Smith (MO)
Smith (NJ)
Spartz
Stansbury
Stauber
Stefanik
Steil
Steube
Takano
Tenney
Thanedar
Thompson (PA)
Tiffany
Timmons
Tlaib
Tokuda
Tonko
Trahan
Valadao
Van Drew
Van Duyne
Vargas
Velázquez
Wagner
Walberg
Waltz
Waters
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (GA)
Williams (NY)
Williams (TX)
Wilson (SC)
Zinke

NOES—153

Aguilar
Allred
Amo
Auchincloss
Bera
Beyer
Bishop (GA)
Boyle (PA)
Brownley
Budzinski
Calvert
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Ciscomani
Clyburn
Cole
Connolly
Costa
Craig
Crawford
Crow
Davids (KS)
Davis (NC)
DeLauro
Diaz-Balart
Duarte
Dunn (FL)
Emmer
Eshoo
Fitzpatrick
Fletcher
Foxx
Frankel, Lois
Gallagher
Garamendi
Garcia, Mike
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Granger
Graves (MO)
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kilmer
Kim (NJ)
Krishnamoorthi
Kustoff
LaHood
Landsman
Larsen (WA)
Larson (CT)
Lee (NV)
Leger Fernandez
Lucas
Lynch
Magaziner
Manning
McBath
McCaul
McClellan
McCollum
McGovern
McHenry
Meeks
Menendez
Mfume
Molinaro
Moore (UT)
Moskowitz
Moulton
Mrvan
Murphy
Neal
Neguse
Nickel
Norcross
Nunn (IA)
Panetta
Pascrell
Pelosi
Peters
Pettersen
Phillips
Quigley
Rogers (AL)
Rogers (KY)
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Salazar
Sarbanes
Schiff
Schneider
Scott, Austin
Sewell
Sherrill
Simpson
Slotkin
Smith (NE)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Steel
Stevens
Strong
Suozzi
Swalwell
Sykes
Thompson (CA)
Thompson (MS)
Titus
Torres (CA)
Torres (NY)
Trone
Turner
Underwood
Van Orden
Vasquez
Veasey
Wasserman Schultz
Watson Coleman
Wexton
Wild
Wilson (FL)
Womack
Yakym

NOT VOTING—15

Babin
Crenshaw
Gallego
González-Colón
Grijalva
Jackson Lee
Lesko
Luetkemeyer
Mooney
Payne
Plaskett
Radewagen
Stanton
Strickland
Wittman

□ 1232

Mr. LALOTA, Ms. STEFANIK, and Mr. D'ESPOSITO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. CRENSHAW

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 4, printed in House Report 118–456, offered by the gentleman from Texas (Mr. CRENSHAW), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 152, not voting 16, as follows:

[Roll No. 116]

AYES—268

Adams
Aderholt
Aguilar
Alford
Allen
Allred
Amo
Amodei
Auchincloss
Bacon
Baird
Balderson
Barr
Barragán
Bera
Bergman
Beyer
Bishop (GA)
Blunt Rochester
Boyle (PA)
Brownley
Buchanan
Bucshon
Budzinski
Burgess
Calvert
Caraveo
Carbajal
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Chavez-DeRemer
Cherfilus-McCormick
Ciscomani
Clark (MA)
Clyburn
Cole
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
Davis (NC)
De La Cruz
Dean (PA)
DeLauro
Diaz-Balart
Doggett
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Escobar
Eshoo
Ezell
Ferguson
Fitzpatrick
Fletcher
Flood
Foster
Foxx
Frankel, Lois
Franklin, Scott
Gallagher
Garamendi
Garbarino
Garcia, Mike
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Granger
Graves (LA)
Graves (MO)
Grothman
Guest
Guthrie
Harder (CA)
Hayes
Hern
Higgins (LA)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hudson
Ivey
Jackson (NC)
Jackson (TX)
James
Jeffries
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
Lamborn
Landsman
Langworthy
Larson (CT)
Latta
LaTurner
Lawler
Lee (CA)
Lee (NV)
Leger Fernandez
Letlow
Levin
Loudermilk
Lucas
Luttrell
Lynch
Magaziner
Malliotakis
Manning
Matsui
McBath
McCaul
McClain
McClellan
McCollum
McCormick
McGarvey
McHenry
Meeks
Menendez
Meuser
Miller (WV)
Molinaro
Moore (UT)
Moran
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Murphy
Neal
Neguse
Newhouse
Nickel
Norcross
Nunn (IA)
Obernolte
Owens
Pallone
Palmer
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Porter
Quigley
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rouzer
Ruiz
Rutherford
Ryan
Sablan
Salazar
Sánchez
Sarbanes
Scalise
Schiff
Schneider
Scholten
Schrier
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stauber
Stefanik
Stevens
Strong
Suozzi
Swalwell
Sykes
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Duyne
Vasquez
Veasey
Wagner
Walberg
Waltz
Wasserman Schultz
Wenstrup
Wexton
Wild
Williams (NY)
Williams (TX)
Wilson (SC)
Womack
Zinke

NOES—152

Armstrong
Arrington
Balint
Banks
Bean (FL)
Beatty
Bentz
Bice
Biggs
Bilirakis
Bishop (NC)
Blumenauer
Boebert
Bonamici
Bost
Bowman
Brecheen
Brown
Burchett
Burlison
Bush
Cammack
Cárdenas
Casar
Castro (TX)
Chu
Clarke (NY)
Cleaver
Cline
Cloud
Clyde
Cohen
Collins
Comer
Crane
Davidson
DeGette
DelBene
Deluzio
DeSaulnier
DesJarlais
Dingell
Donalds
Emmer
Espaillat
Estes
Evans
Fallon
Feenstra
Finstad
Fischbach
Fitzgerald
Fleischmann
Foushee
Frost
Fry
Fulcher
Gaetz
Garcia (IL)
Garcia (TX)
Garcia, Robert
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Green, Al (TX)
Greene (GA)
Griffith
Hageman
Harris
Harshbarger
Hoyle (OR)
Huffman
Huizenga
Hunt
Issa
Jackson (IL)
Jacobs
Johnson (GA)
Jordan
Kamlager-Dove
Khanna
Kildee
LaMalfa
Larsen (WA)
Lee (FL)
Lee (PA)
Lieu
Lofgren
Luna
Mace
Maloy
Mann
Massie
Mast
McClintock
McGovern
Meng
Mfume
Miller (IL)
Miller (OH)
Miller-Meeks
Mills
Moolenaar
Moore (AL)
Moore (WI)
Mullin
Nadler
Napolitano
Nehls
Norman
Norton
Ocasio-Cortez
Ogles
Omar
Perry
Pingree
Pocan
Posey
Pressley
Ramirez
Rosendale
Ross
Roy
Ruppersberger
Salinas
Scanlon
Schakowsky
Schweikert
Scott (VA)
Self
Spartz
Steel
Steil
Steube
Takano
Tiffany
Timmons
Tlaib
Tokuda
Tonko
Van Orden
Vargas
Velázquez
Waters
Watson Coleman
Weber (TX)
Webster (FL)
Westerman
Williams (GA)
Wilson (FL)
Yakym

NOT VOTING—16

Babin
Gallego
González-Colón
Grijalva
Jackson Lee
Jayapal
Lesko
Luetkemeyer
Mooney
Payne
Plaskett
Radewagen
Smith (MO)
Stanton
Strickland
Wittman

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1236

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. WALTZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 5, printed in House Report 118–456, offered by the gentleman from Florida (Mr. WALTZ), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 193, not voting 16, as follows:

[Roll No. 117]

AYES—227

Aderholt	Frankel, Lois	Magaziner
Alford	Franklin, Scott	Malliotakis
Allen	Gallagher	Manning
Allred	Garamendi	Mast
Amo	Garbarino	Matsui
Amodei	Garcia, Mike	McBath
Arrington	Gimenez	McCaul
Auchincloss	Golden (ME)	McClain
Bacon	Goldman (NY)	McClellan
Balderson	Gonzales, Tony	McCollum
Barr	Gonzalez, Vicente	McCormick
Bera	Gottheimer	McGarvey
Bergman	Granger	McHenry
Bice	Graves (LA)	Meeks
Boyle (PA)	Graves (MO)	Meuser
Brownley	Griffith	Miller-Meeks
Buchanan	Grothman	Mills
Bucshon	Guest	Molinaro
Budzinski	Guthrie	Moore (UT)
Burgess	Harder (CA)	Moran
Calvert	Hayes	Morelle
Caraveo	Hern	Moskowitz
Carbajal	Hill	Moulton
Carey	Himes	Moylan
Carl	Hinson	Mrvan
Carson	Horsford	Murphy
Carter (GA)	Houchin	Nickel
Carter (LA)	Hudson	Norcross
Carter (TX)	Huizenga	Norman
Cartwright	Hunt	Nunn (IA)
Case	Jackson (TX)	Obernolte
Casten	Johnson (SD)	Panetta
Chavez-DeRemer	Joyce (OH)	Pappas
Ciscomani	Joyce (PA)	Pelosi
Clyburn	Kaptur	Pence
Cole	Kean (NJ)	Perez
Costa	Keating	Peters
Courtney	Kelly (MS)	Pettersen
Craig	Kelly (PA)	Pfluger
Crane	Kiggans (VA)	Phillips
Crawford	Kiley	Posey
Crenshaw	Kilmer	Quigley
Crockett	Kim (CA)	Reschenthaler
Cuellar	Kuster	Rodgers (WA)
Curtis	Kustoff	Rogers (AL)
D'Esposito	LaHood	Rogers (KY)
Davids (KS)	LaLota	Rose
Davis (NC)	LaMalfa	Rouzer
De La Cruz	Lamborn	Ruiz
DeLauro	Landsman	Ruppersberger
Diaz-Balart	Larson (CT)	Rutherford
Duarte	Latta	Ryan
Dunn (FL)	LaTurner	Salazar
Edwards	Lawler	Scalise
Ellzey	Lee (NV)	Schneider
Eshoo	Letlow	Scholten
Estes	Levin	Schrier
Ezell	Loudermilk	Scott, Austin
Feenstra	Lucas	Scott, David
Ferguson	Luttrell	Sessions
Fitzpatrick	Lynch	Sewell
Fletcher	Sherrill	Sherman
Simpson	Sykes	Vasquez
Slotkin	Tenney	Veasey
Smith (MO)	Thompson (CA)	Wagner
Smith (NE)	Thompson (MS)	Walberg
Smucker	Thompson (PA)	Waltz
Sorensen	Titus	Wenstrup
Spanberger	Torres (CA)	Wexton
Stauber	Torres (NY)	Wild
Stefanik	Trahan	Williams (NY)
Steil	Trone	Williams (TX)
Stevens	Turner	Wilson (SC)
Strong	Underwood	Womack
Suozzi	Valadao	Zinke
Swalwell	Van Duyne	

NOES—193

Adams	Fitzgerald	Moore (AL)
Aguilar	Fleischmann	Moore (WI)
Armstrong	Flood	Mullin
Baird	Foster	Nadler
Balint	Foushee	Napolitano
Banks	Foxx	Neal
Barragán	Frost	Neguse
Bean (FL)	Fry	Nehls
Beatty	Fulcher	Newhouse
Bentz	Gaetz	Norton
Beyer	García (IL)	Ocasio-Cortez
Biggs	Garcia (TX)	Ogles
Bilirakis	Garcia, Robert	Omar
Bishop (GA)	Gomez	Owens
Bishop (NC)	Good (VA)	Pallone
Blumenauer	Gooden (TX)	Palmer
Blunt Rochester	Gosar	Pascrell
Boebert	Green (TN)	Perry
Bonamici	Green, Al (TX)	Pingree
Bost	Greene (GA)	Pocan
Bowman	Hageman	Porter
Brecheen	Harris	Pressley
Brown	Harshbarger	Ramirez
Burchett	Higgins (LA)	Raskin
Burlison	Houlahan	Rosendale
Bush	Hoyer	Ross
Cammack	Hoyle (OR)	Roy
Cárdenas	Huffman	Sablan
Casar	Issa	Salinas
Castor (FL)	Ivey	Sánchez
Castro (TX)	Jackson (IL)	Sarbanes
Cherfilus-McCormick	Jackson (NC)	Scanlon
Chu	Jacobs	Schakowsky
Clark (MA)	James	Schiff
Clarke (NY)	Jayapal	Schweikert
Cleaver	Jeffries	Scott (VA)
Cline	Johnson (GA)	Self
Cloud	Jordan	Smith (NJ)
Clyde	Kamlager-Dove	Smith (WA)
Cohen	Kelly (IL)	Soto
Collins	Khanna	Spartz
Comer	Kildee	Stansbury
Connolly	Kim (NJ)	Steel
Correa	Krishnamoorthi	Steube
Crow	Langworthy	Takano
Davidson	Larsen (WA)	Thanedar
Davis (IL)	Lee (CA)	Tiffany
Dean (PA)	Lee (FL)	Timmons
DeGette	Lee (PA)	Tlaib
DelBene	Leger Fernandez	Tokuda
Deluzio	Lieu	Tonko
DeSaulnier	Lofgren	Van Drew
DesJarlais	Luna	Van Orden
Dingell	Mace	Vargas
Doggett	Mann	Velázquez
Donalds	Massie	Wasserman Schultz
Duncan	McClintock	Waters
Emmer	McGovern	Watson Coleman
Escobar	Menendez	Weber (TX)
Espaillat	Meng	Webster (FL)
Evans	Mfume	Westerman
Fallon	Miller (IL)	Williams (GA)
Finstad	Miller (OH)	Wilson (FL)
Fischbach	Miller (WV)	Yakym
	Moolenaar	

NOT VOTING—16

Babin	Luetkemeyer	Radewagen
Gallego	Maloy	Stanton
González-Colón	Mooney	Strickland
Grijalva	Payne	Wittman
Jackson Lee	Peltola	
Lesko	Plaskett	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1240

Mr. DAVIS of Illinois changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. MALOY. Mr. Chair, had I been present, I would have voted "no" on rollcall No. 117.

AMENDMENT NO. 6 OFFERED BY MR. TURNER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment 6, printed in House Report 118–456, offered by the gentleman from Ohio (Mr. TURNER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 186, not voting 14, as follows:

[Roll No. 118]

AYES—236

Aderholt	Ezell	Lamborn
Aguilar	Feenstra	Landsman
Allred	Fitzpatrick	Larsen (WA)
Amodei	Fletcher	Larson (CT)
Auchincloss	Flood	LaTurner
Bacon	Foster	Lawler
Balderson	Frankel, Lois	Lee (FL)
Barr	Franklin, Scott	Lee (NV)
Barragán	Fulcher	Letlow
Bera	Gallagher	Levin
Bergman	Garamendi	Lucas
Beyer	Garbarino	Lynch
Bice	Garcia, Mike	Magaziner
Bishop (GA)	Gimenez	Malliotakis
Blunt Rochester	Golden (ME)	Manning
Boyle (PA)	Goldman (NY)	McBath
Brownley	Gomez	McCaul
Buchanan	Gonzales, Tony	McClain
Bucshon	Gonzalez, Vicente	McClellan
Budzinski	Gottheimer	McCollum
Burgess	Granger	McCormick
Calvert	Graves (LA)	McGarvey
Caraveo	Graves (MO)	McHenry
Carbajal	Guest	Meeks
Carl	Guthrie	Menendez
Carson	Harder (CA)	Miller (WV)
Carter (GA)	Hayes	Moore (UT)
Carter (LA)	Hill	Moran
Carter (TX)	Himes	Morelle
Cartwright	Hinson	Moskowitz
Case	Horsford	Moulton
Casten	Houchin	Moylan
Castor (FL)	Houlahan	Mrvan
Chavez-DeRemer	Hoyer	Mullin
Ciscomani	Hudson	Murphy
Clark (MA)	Huizenga	Neguse
Cleaver	Ivey	Newhouse
Clyburn	Jackson (NC)	Nickel
Cohen	Jackson (TX)	Norcross
Cole	Jacobs	Nunn (IA)
Costa	James	Obernolte
Courtney	Jeffries	Panetta
Craig	Johnson (GA)	Pappas
Crawford	Joyce (OH)	Pascrell
Crenshaw	Kamlager-Dove	Pelosi
Crow	Kaptur	Pence
Cuellar	Kean (NJ)	Perez
D'Esposito	Keating	Peters
Davids (KS)	Kelly (MS)	Pettersen
Davis (NC)	Kelly (PA)	Pfluger
De La Cruz	Kiggans (VA)	Phillips
DeLauro	Kilmer	Quigley
Diaz-Balart	Kim (CA)	Reschenthaler
Duarte	Kim (NJ)	Rogers (AL)
Dunn (FL)	Krishnamoorthi	Rogers (KY)
Edwards	Kuster	Rose
Ellzey	Kustoff	Rouzer
Emmer	LaHood	Ruiz
Escobar	LaLota	Ruppersberger
Eshoo	LaMalfa	Rutherford
Estes		Ryan

Salazar
Sarbanes
Schiff
Schneider
Scholten
Schrier
Scott, Austin
Scott, David
Sessions
Sewell
Sherrill
Simpson
Slotkin
Smith (NE)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stauber
Stefanik
Steil
Stevens
Strong
Suozzi
Swalwell
Sykes
Tenney
Thompson (CA)
Thompson (MS)
Titus
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Duyne
Vasquez
Veasey
Wagner
Walberg
Waltz
Wasserman Schultz
Wenstrup
Wexton
Wild
Williams (NY)
Wilson (FL)
Wilson (SC)
Wittman
Womack

NOES—186

Adams
Alford
Allen
Amo
Armstrong
Arrington
Baird
Balint
Banks
Bean (FL)
Beatty
Bentz
Biggs
Bilirakis
Bishop (NC)
Blumenauer
Boebert
Bonamici
Bost
Bowman
Brecheen
Brown
Burchett
Burlison
Bush
Cammack
Cárdenas
Carey
Casar
Castro (TX)
Cherfilus-McCormick
Chu
Clarke (NY)
Cline
Cloud
Clyde
Collins
Comer
Connolly
Correa
Crane
Crockett
Curtis
Davidson
Davis (IL)
Dean (PA)
DeGette
DelBene
Deluzio
DeSaulnier
DesJarlais
Dingell
Doggett
Donalds
Duncan
Espaillat
Evans
Fallon
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Foushee
Foxx
Frost
Fry
Gaetz
García (IL)
García (TX)
Garcia, Robert
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Green, Al (TX)
Greene (GA)
Griffith
Grothman
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hoyle (OR)
Huffman
Hunt
Issa
Jackson (IL)
Jayapal
Johnson (SD)
Jordan
Joyce (PA)
Kelly (IL)
Khanna
Kildee
Kiley
Langworthy
Latta
Lee (CA)
Lee (PA)
Leger Fernandez
Lieu
Lofgren
Loudermilk
Luna
Luttrell
Mace
Maloy
Mann
Massie
Mast
Matsui
McClintock
McGovern
Meng
Meuser
Mfume
Miller (IL)
Miller (OH)
Miller-Meeks
Mills
Molinaro
Moolenaar
Moore (AL)
Moore (WI)
Nadler
Napolitano
Neal
Nehls
Norman
Norton
Ocasio-Cortez
Ogles
Omar
Owens
Pallone
Palmer
Perry
Pingree
Pocan
Porter
Posey
Pressley
Ramirez
Raskin
Rodgers (WA)
Rosendale
Ross
Roy
Sablan
Salinas
Sánchez
Scalise
Scanlon
Schakowsky
Schweikert
Scott (VA)
Self
Sherman
Smith (MO)
Smith (NJ)
Spartz
Steel
Steube
Takano
Thanedar
Thompson (PA)
Tiffany
Timmons
Tlaib
Tokuda
Tonko
Van Drew
Van Orden
Vargas
Velázquez
Waters
Watson Coleman
Weber (TX)
Webster (FL)
Westerman
Williams (GA)
Williams (TX)
Yakym
Zinke

NOT VOTING—14

Babin
Gallego
González-Colón
Grijalva
Jackson Lee
Lesko
Luetkemeyer
Mooney
Payne
Peltola
Plaskett
Radewagen
Stanton
Strickland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. ALFORD) (during the vote). There is 1 minute remaining.

□ 1245

Mr. MEUSER changed his vote from ''aye'' to ''no.''

Mr. MEEKS changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. PELTOLA. Mr. Chair, had I been present, I would have voted ''aye'' on rollcall No. 117 and ''aye'' on rollcall No. 118.

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ELLZEY) having assumed the chair, Mr. ALFORD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 7888) to reform the Foreign Intelligence Surveillance Act of 1978, and, pursuant to House Resolution 1137, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. LEE of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 273, noes 147, not voting 11, as follows:

[Roll No. 119]

AYES—273

Adams
Aderholt
Aguilar
Allen
Allred
Amo
Amodei
Auchincloss
Bacon
Balderson
Barr
Barragán
Bentz
Bera
Bergman
Beyer
Bice
Bishop (GA)
Blunt Rochester
Boyle (PA)
Brownley
Buchanan
Bucshon
Budzinski
Burgess
Calvert
Caraveo
Carbajal
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Chavez-DeRemer
Ciscomani
Clark (MA)
Cleaver
Clyburn
Cohen
Cole
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crockett
Crow
Cuellar
D'Esposito
Davids (KS)
Davis (NC)
De La Cruz
Dean (PA)
DeLauro
Diaz-Balart
Duarte
Edwards
Ellzey
Emmer
Escobar
Eshoo
Estes
Evans
Ezell
Feenstra
Ferguson
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Frankel, Lois
Franklin, Scott
Gallagher
Garamendi
Garbarino
Garcia, Mike
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green, Al (TX)
Grothman
Guest
Guthrie
Harder (CA)
Hayes
Hern
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hudson
Huizenga
Ivey
Jackson (NC)
Jackson (TX)
James
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (SD)
Joyce (OH)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
Lamborn
Landsman
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawler
Lee (FL)
Lee (NV)
Leger Fernandez
Letlow
Levin
Lieu
Lucas
Lynch
Magaziner
Malliotakis
Maloy
Manning
McBath
McCaul
McClain
McClellan
McCollum
McGarvey
McHenry
Meeks
Menendez
Meng
Mfume
Miller (OH)
Miller (WV)
Miller-Meeks
Molinaro
Moolenaar
Moore (UT)
Moran
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Murphy
Neal
Neguse
Newhouse
Nickel
Norcross
Nunn (IA)
Obernolte
Palmer
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Quigley
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Salazar
Sánchez
Sarbanes
Scalise
Schiff
Schneider
Scholten
Schrier
Scott, Austin
Scott, David
Sessions
Sewell
Sherrill
Simpson
Slotkin
Smith (NE)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stauber
Steel
Stefanik
Steil
Stevens
Strong
Suozzi
Swalwell
Sykes
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Vargas
Vasquez
Veasey
Wagner
Walberg
Waltz
Wasserman Schultz
Webster (FL)
Wenstrup
Wexton
Wild
Williams (NY)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack

NOES—147

Alford
Armstrong
Arrington
Baird
Balint
Banks
Bean (FL)
Beatty
Biggs
Bilirakis
Bishop (NC)
Blumenauer
Boebert
Bonamici
Bost
Bowman
Brecheen
Brown
Burchett
Burlison
Bush
Cammack
Cárdenas
Carey
Casar
Castro (TX)
Cherfilus-McCormick
Chu
Clarke (NY)
Cline
Cloud
Clyde
Collins
Comer
Crane
Curtis
Davidson
Davis (IL)
DeGette
DelBene
Deluzio
DeSaulnier
DesJarlais
Dingell
Doggett
Donalds
Duncan
Dunn (FL)
Espaillat
Fallon
Finstad
Fischbach
Fitzgerald
Foushee
Foxx
Frost
Fry
Fulcher
Gaetz
García (IL)
García (TX)
Garcia, Robert
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Hageman
Harris
Harshbarger

Higgins (LA)	McGovern	Schakowsky
Hoyle (OR)	Meuser	Schweikert
Huffman	Miller (IL)	Scott (VA)
Hunt	Mills	Self
Issa	Moore (AL)	Sherman
Jackson (IL)	Moore (WI)	Smith (MO)
Jacobs	Nadler	Smith (NJ)
Jayapal	Napolitano	Spartz
Jordan	Nehls	Steube
Joyce (PA)	Norman	Takano
Khanna	Ocasio-Cortez	Tiffany
LaMalfa	Ogles	Timmons
Langworthy	Omar	Tlaib
Lee (CA)	Owens	Van Drew
Lee (PA)	Pallone	Van Duyne
Lofgren	Perry	Van Orden
Loudermilk	Pingree	Velázquez
Luna	Pocan	Waters
Luttrell	Porter	Watson Coleman
Mace	Posey	Weber (TX)
Mann	Pressley	Westerman
Massie	Ramirez	Williams (GA)
Mast	Rosendale	Yakym
Matsui	Roy	Zinke
McClintock	Salinas	
McCormick	Scanlon	

NOT VOTING—11

Babin	Kildee	Payne
Gallego	Lesko	Stanton
Grijalva	Luetkemeyer	Strickland
Jackson Lee	Mooney	

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1257

So the bill was passed.

The result of the vote was announced as above recorded.

Stated against:

Mr. KILDEE. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 119, H.R. 7888.

PERSONAL EXPLANATION

Mr. STANTON. Mr. Speaker, I was necessarily absent and missed five votes. Had I been present, I would have voted "no" on rollcall No. 115, Roy Amendment, "aye" on rollcall No. 116, Crenshaw Amendment, "aye" on rollcall No. 117, Waltz Amendment, "aye" on rollcall No. 118, Turner Amendment, and "aye" on rollcall No. 119, final passage of H.R. 7888, the Reforming Intelligence and Securing America Act.

The SPEAKER pro tempore. Without objection, a motion to reconsider was laid on the table.

Mrs. LUNA. Mr. Speaker, I object.

The SPEAKER pro tempore. The objection is heard.

MOTION TO RECONSIDER

Ms. LEE of Florida. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Lee of Florida moves to reconsider the vote on passage of H.R. 7888.

MOTION TO TABLE

Mr. TURNER. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Turner of Ohio moves to table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. LUNA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ADJOURNMENT FROM FRIDAY, APRIL 12, 2024, TO MONDAY, APRIL 15, 2024

Mr. BARR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. DUARTE). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

RECOGNIZING STUDENTS FROM KEYSTONE CENTRAL CAREER AND TECHNOLOGY CENTER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize students from Keystone Central Career and Technology Center who recently attended the SkillsUSA State competition in Hershey, Pennsylvania.

The SkillsUSA State competition, which took place from April 3 to April 5, is an annual competition that allows high school students to demonstrate their skills in a variety of competitions. Students have the opportunity to compete both individually and as a team.

Keystone Central had 25 students participate in the event. The students represented different programs, including childcare, drafting and design, health assisting, and precision machining.

Twelve students won awards, with four coming in first place for Community Service and Related Technical Math, one coming in second place for CTE Demonstration, and seven coming in third place for Architectural Drafting, Career Pathways, Industrial and Engineering Technology, and Career Pathways for Human Services.

The students who came in first will advance to the national competition in Atlanta, Georgia, in June. I am proud of these Keystone Central students for their hard work and dedication to learning. I wish them the best of luck in their future career paths.

ANOTHER MASSIVE STEP IN THE FIGHT TO END GUN VIOLENCE

(Mr. FROST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, I rise today because this week the Biden administration took yet another massive step in the fight to end gun violence and save innocent lives.

Yesterday, the administration took historic action to reduce the number of firearms sold to people without background checks. This is the largest expansion in the history of the background check system or in the past 30 years.

From Columbine to the Midland-Odessa shooting, background check loopholes and unlicensed gun dealers have contributed to some of the most horrific and senseless tragedies of our time.

For years, people across our country have marched, fought, and raised their voices calling on leaders in power to give a damn about the innocent lives being taken away from us.

President Biden is listening. Under his leadership, this Congress passed the Bipartisan Safer Communities Act. Under his leadership, we have created the first ever Federal White House Office of Gun Violence Prevention. Under his leadership, we are one more massive step closer to universal background checks that will undoubtedly save lives. Now, it is time for this Chamber to follow suit and pass universal background checks.

REMEMBERING DR. JEROME GREEN

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today with a heavy heart. I rise to remember Dr. Jerome Green, who died unexpectedly earlier this week.

Jerome served as the president of Shorter College in North Little Rock, Arkansas, since 2012. As the only private 2-year historically Black college in the country, Shorter College faces unique challenges, challenges that were all embraced by Dr. Green.

In his time as president, he increased the enrollment of the college, brought back intercollegiate athletics, added academic programs, and more. Jerome was recently named by the HBCU Campaign Fund board as one of The Ten Most Dominant HBCU Leaders Award and Class of 2024.

Early in his career, Jerome was appointed by then-Governor Bill Clinton to the Arkansas Ethics Commission where he served as chairman. Following his work on the Ethics Commission, he was appointed to the Panel of Conciliators for the International Center for Settlement Disputes, a division of the World Bank.

Dr. Green has truly dedicated his career to improving the lives of others. He was an exemplary leader in his faith, his devotion to Shorter College, and our country.

He was a dear friend and will be missed by many. Martha and I are brokenhearted, and we pray for the repose of his soul and for his friends and family.