

**AMENDMENT TO H.R. 8035**  
**OFFERED BY MR. HIGGINS OF LOUISIANA**

Add at the end the following new section:

1 **SEC. \_\_\_\_.** **ADDITIONAL CRIMINAL PENALTIES.**

2 (a) **IN GENERAL.**—Subsection (a) of section 709 of  
3 the Foreign Intelligence Surveillance Act of 1978 (50  
4 U.S.C. 1881h) is amended to read as follows:

5 “(a) **OFFENSE.**—

6 “(1) **UNAUTHORIZED DISCLOSURE OR RETEN-**  
7 **TION.**—A person is guilty of an offense under this  
8 paragraph if that person knowingly and willfully  
9 communicates, furnishes, transmits, or otherwise  
10 makes available to an unauthorized person, or pub-  
11 lishes, or uses in any manner prejudicial to the safe-  
12 ty or interest of the United States or for the benefit  
13 of any foreign government to the detriment of the  
14 United States, or retains, any classified information  
15 that contains the contents of any communication ac-  
16 quired under this title to which a known United  
17 States person is a party.

18 “(2) **UNAUTHORIZED QUERY.**—A person is  
19 guilty of an offense under this paragraph if that per-  
20 son knowingly and willfully conducts a United States

1 person query of information acquired under sub-  
2 section (a) of section 702 in violation of the proce-  
3 dures or requirements for such a query under such  
4 section.

5 “(3) FALSIFIES OR MISREPRESENTS COMPLI-  
6 ANCE.—A person is guilty of an offense under this  
7 paragraph if that person knowingly and willfully fal-  
8 sifies or materially misrepresents complying with the  
9 procedures or requirements for querying information  
10 acquired under section 702(a).”.

11 (b) CONFORMING AMENDMENT.—The heading of  
12 such section is amended by inserting before the period at  
13 the end the following: “**AND OTHER ACTIONS**”.

