

**AMENDMENT TO H.R. 8035**  
**OFFERED BY MR. ROSE OF TENNESSEE**

At the end of the bill (page 3, after line 15) add the following:

1 **SEC. 2. PUBLIC WITNESS PROGRAM FOR FISA SECTION 702**

2 **COURT HEARINGS.**

3 (a) ESTABLISHMENT OF PROGRAM.—The Director of  
4 National Intelligence shall establish a program to allow  
5 qualified members of the public to observe proceedings of  
6 the Foreign Intelligence Surveillance Court under section  
7 702 of the Foreign Intelligence Surveillance Act of 1978  
8 (50 U.S.C. 1881a).

9 (b) APPLICATION AND ELIGIBILITY.—

10 (1) APPLICATION.—Any individual may apply  
11 to the Director of National Intelligence for a secu-  
12 rity clearance to participate in the program.

13 (2) PRIORITIZATION.—The Director of National  
14 Intelligence shall prioritize applications from individ-  
15 uals with expertise in civil liberties or affiliations  
16 with organizations dedicated to protecting civil lib-  
17 erties.

18 (3) RULEMAKING.—Not later than 6 months  
19 after the date of the enactment of this Act, the Di-

1 rector of National Intelligence shall promulgate reg-  
2 ulations establishing the application process and eli-  
3 gibility criteria for participation in the program es-  
4 tablished under this section.

5 (c) UNCOMPENSATED SERVICE.—Participants in the  
6 program shall not receive any compensation for their serv-  
7 ice.

8 (d) DIRECTOR OF NATIONAL INTELLIGENCE RE-  
9 SPONSIBILITIES.—In the program established under this  
10 section, the Director of National Intelligence shall have  
11 the following responsibilities:

12 (1) Develop and implement regulations for the  
13 application process, security clearance review, and  
14 appointment of public witnesses.

15 (2) Establish procedures for public witnesses to  
16 observe Foreign Intelligence Surveillance Court pro-  
17 ceedings under section 702 of the Foreign Intel-  
18 ligence Surveillance Act of 1978 (50 U.S.C. 1881a).

19 (3) Designate a secure mechanism for public  
20 witnesses to report concerns about potential mis-  
21 conduct to Congress through classified channels.

22 (4) Implement a process for public witnesses to  
23 review all written applications and communications  
24 sent from the government to the Foreign Intel-

1       ligence Surveillance Court regarding the section 702  
2       program and vice versa.

3               (5) Appoint no less than 7 members of the pub-  
4       lic to the program, prioritizing individuals with ex-  
5       pertise in civil liberties or affiliations with organiza-  
6       tions dedicated to protecting civil liberties.

7       (e) EFFECTIVE DATE.—This section shall take effect  
8       not later than 6 months after the date of the enactment  
9       of this Act.

