

AMENDMENT TO H.R. _____
OFFERED BY MR. ROSE OF TENNESSEE

Add at the end the following:

1 **SEC. ____ . PUBLIC WITNESS PROGRAM FOR FISA SECTION**
2 **702 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 enactment of this Act, the Director
20 of National Intelligence shall promulgate regulations

1 establishing the application process and eligibility
2 criteria for participation in the program established
3 under this section.

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

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

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

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

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

21 (4) Implement a process for public witnesses to
22 review all written applications and communications
23 sent from the government to the Foreign Intel-
24 ligence Surveillance Court regarding the section 702
25 program and vice versa.

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

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

