

**AMENDMENT TO H.R. 8035**  
**OFFERED BY MR. ROY OF TEXAS**

At the end of the bill add the following new section:

1 **SEC. 2. AMICUS CURIAE DESIGNATION.**

2 (a) **SHORT TITLE.**—This section may be cited as the  
3 “FISA Accountability and Extension Act of 2026”.

4 (b) **DESIGNATION.**—Section 103(i)(1) of the Foreign  
5 Intelligence Surveillance Act of 1978 (50 U.S.C.  
6 1803(i)(1)) is amended—

7 (1) by striking “The presiding judges” and in-  
8 serting the following:

9 “(B) **DESIGNATION BY PRESIDING**  
10 **JUDGES.**—The presiding judges”;

11 (2) by inserting before subparagraph (B), as so  
12 designated, the following:

13 “(A) **PROPOSAL FOR DESIGNATION.**—

14 “(i) **SENATE PROPOSALS.**—Not later  
15 than 90 days after the date of enactment  
16 of the FISA Accountability and Extension  
17 Act of 2026, the majority leader of the  
18 Senate, with the consent of the minority  
19 leader of the Senate and in consultation  
20 with the chair and vice chair of the Select

1 Committee on Intelligence of the Senate  
2 and the chair and ranking member of the  
3 Committee on the Judiciary of the Senate,  
4 shall submit a list of not fewer than 6 indi-  
5 viduals to the presiding judges of the  
6 courts established under subsections (a)  
7 and (b) to be considered for designation as  
8 amicus curiae under subparagraph (B) of  
9 this paragraph.

10 “(ii) HOUSE OF REPRESENTATIVES  
11 PROPOSALS.—Not later than 90 days after  
12 the date of enactment of the FISA Ac-  
13 countability and Extension Act of 2026,  
14 the Speaker of the House of Representa-  
15 tives, with the consent of the minority  
16 leader of the House of Representatives and  
17 in consultation with the chair and ranking  
18 member of the Permanent Select Com-  
19 mittee on Intelligence of the House of Rep-  
20 resentatives and the chair and ranking  
21 member of the Committee on the Judiciary  
22 of the House of Representatives, shall sub-  
23 mit a list of not fewer than 6 individuals  
24 to the presiding judges of the courts estab-  
25 lished under subsections (a) and (b) to be

1 considered for designation as amicus curiae  
2 under subparagraph (B) of this paragraph.

3 “(iii) MODIFICATION OF LISTS.—The  
4 majority leader of the Senate or the Speak-  
5 er of the House of Representatives, with  
6 respect to a list submitted under clause (i)  
7 or (ii), respectively—

8 “(I) may modify the list at any  
9 time in accordance with the require-  
10 ments of the respective clause; and

11 “(II) shall ensure that the list in-  
12 cludes not fewer than 6 individuals at  
13 all times.”;

14 (3) in subparagraph (B), as so designated—

15 (A) in the first sentence, by striking “after  
16 the enactment of this subsection, jointly des-  
17 ignate not fewer than 5 individuals” and insert-  
18 ing “after the date of enactment of the FISA  
19 Accountability and Extension Act of 2026,  
20 jointly designate not fewer than 8 individuals  
21 from the lists submitted under subparagraph  
22 (A) of this paragraph”; and

23 (B) by striking the second sentence; and

24 (4) by adding at the end the following:

1                   “(C) TRANSITION.—On the date of sub-  
2                   mission of the list under clause (i) or (ii) of  
3                   subparagraph (A), whichever submission occurs  
4                   first, any individual serving as amicus curiae  
5                   shall be removed and all designations shall  
6                   occur pursuant to subparagraphs (A) and  
7                   (B).”.

