

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 2596  
OFFERED BY MS. LOFGREN OF CALIFORNIA**

Page 29, after line 11, insert the following:

1 **SEC. 317. PROHIBITION ON USING FUNDS TO CONDUCT**  
2 **WARRANTLESS SEARCHING OF COLLECTIONS**  
3 **OF COMMUNICATIONS FOR THE COMMUNICA-**  
4 **TIONS OF UNITED STATES PERSONS.**

5 (a) PROHIBITION.—Except as provided in subpara-  
6 graph (b), none of the funds authorized to be appropriated  
7 by this Act may be used by an officer or employee of the  
8 United States to conduct a search of a collection of com-  
9 munications acquired under section 702 of the Foreign In-  
10 telligence Surveillance Act of 1978 (50 U.S.C. 1881a) in  
11 an effort to find communications of a particular United  
12 States person (other than a corporation).

13 (b) EXCEPTION.—Subparagraph (a) shall not apply  
14 to a search for communications related to a particular  
15 United States person if—

16 (1) such United States person is the subject of  
17 an order or emergency authorization authorizing  
18 electronic surveillance or physical search under sec-

1       tion 105, 304, 703, 704, or 705, or title 18, United  
2       States Code, for the effective period of that order;

3           (2) the entity carrying out the search has a rea-  
4       sonable belief that the life or safety of such United  
5       States person is threatened and the information is  
6       sought for the purpose of assisting that person; or

7           (3) such United States person has consented to  
8       the search.

9       **SEC. 318. PROHIBITION ON USING FUNDS FOR DATA SECU-**  
10                           **RITY VULNERABILITY MANDATES.**

11       (a) IN GENERAL.—Except as provided in subsection  
12 (b), none of the funds authorized to be appropriated by  
13 this Act may be used by an officer or employee of the  
14 United States to mandate or request that a manufacturer,  
15 developer, or seller of covered products design or alter the  
16 security functions in its product or service to allow the  
17 surveillance of any user of such product or service, or to  
18 allow the physical search of such product, by any agency.

19       (b) EXCEPTION.—Subsection (a) shall not apply to  
20 mandates authorized under the Communications Assist-  
21 ance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

22       (c) DEFINITIONS.—In this section—

23           (1) the term “agency” has the meaning given  
24       the term in section 3502 of title 44, United States  
25       Code; and

1           (2) the term “covered product” means any com-  
2           puter hardware, computer software, or electronic de-  
3           vice that is made available to the general public.

