

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MR. DAVIDSON OF OHIO

At the end of subtitle A of title XVII, add the following new section:

1 **SEC. 17___ . PROHIBITION ON REQUIRING OR REQUESTING**
2 **A PERSON TO ALTER A PRODUCT OR SERV-**
3 **ICE FOR PURPOSES OF ELECTRONIC SUR-**
4 **VEILLANCE.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), the Department of Defense, including the National
7 Security Agency and the Central Intelligence Agency, may
8 not require or request that a person alter its product or
9 service to permit the electronic surveillance of any user
10 of such product or service by any such agency.

11 (b) EXCEPTION.—Subsection (a) shall not apply with
12 respect to requirements or requests authorized under the
13 Communications Assistance for Law Enforcement Act (47
14 U.S.C. 1001 et seq.) or the amendments made by that
15 Act.

16 (c) DEFINITIONS.—In this section:

17 (1) The term “person” has the meaning given
18 such term in section 101(m) of the Foreign Intel-

1 ligenge Surveillance Act of 1978 (50 U.S.C.
2 1801(m)).

3 (2) The term “electronic surveillance” has the
4 meaning given such term in section 101(f) of such
5 Act (50 U.S.C. 1801(f)).

