

AMENDMENT TO H.R. 8035

OFFERED BY MR. MASSIE OF KENTUCKY

At the end of the bill, add the following:

SEC. 2. REPEAL OF EXPANDED DEFINITION OF ELECTRONIC COMMUNICATION SERVICE PROVIDER.

(a) REPEAL OF EXPANDED DEFINITION OF ELECTRONIC COMMUNICATIONS SERVICE PROVIDER.—Section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4)) is amended—

- (1) in subparagraph (F)—
 - (A) by striking “custodian”; and
 - (B) by striking “(D), or (E)” and inserting “or (D)”;
- (2) by striking subparagraph (E);
- (3) in subparagraph (D), by striking the semicolon and inserting “; or”; and
- (4) by redesignating subparagraph (F) as subparagraph (E).

(b) DEFINITION WITH RESPECT TO PROTECTION OF PERSONS ASSISTING THE GOVERNMENT.—Section 801(6) of such Act (50 U.S.C. 1885(6)) is amended—

- (1) in subparagraph (G)—
 - (A) by striking “custodian,”; and
 - (B) by striking “(E), or (F)” and inserting “or (E)”;
- (2) by striking subparagraph (E);

(3) in subparagraph (F), by striking the semicolon and inserting “; or”; and

(4) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F) respectively.

(c) TREATMENT OF CERTAIN SECTION 702 DIRECTIVES.— Any directive issued pursuant to section 702(i) of such Act (50 U.S.C. 1881a(i)) to a person who was considered an electronic communication service provider pursuant to section 701(b)(4) of such Act (50 U.S.C. 1881(b)(4)) as such section was in effect during the period beginning on April 20, 2024, and ending on the date of the enactment of this Act, but is not an electronic communication service provider pursuant to such section as in effect after the date of the enactment of this Act, shall be considered null and void.