

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3361
OFFERED BY MR. GOHMERT OF TEXAS**

After section 101, insert the following new section:

1 **SEC. 102. INVESTIGATIONS TO PROTECT AGAINST CLAN-**
2 **DESTINE INTELLIGENCE ACTIVITIES.**

3 Section 501 (50 U.S.C. 1861) is amended—

4 (1) in subsection (a)(1), by striking “person or
5 to protect against international terrorism or clandestine
6 intelligence activities” and inserting “person, to
7 protect against international terrorism, or to protect
8 against clandestine intelligence activities conducted
9 by a foreign power or an agent of a foreign power”;
10 and

11 (2) in subparagraph (B) of subsection (b)(2)
12 (as redesignated by section 101(a)), by striking
13 “person or to protect against international terrorism
14 or clandestine intelligence activities” and inserting
15 “person, to protect against international terrorism,
16 or to protect against clandestine intelligence activi-
17 ties conducted by a foreign power or an agent of a
18 foreign power”.

After section 201, insert the following new section:

1 **SEC. 202. INVESTIGATIONS TO PROTECT AGAINST CLAN-**
2 **DESTINE INTELLIGENCE ACTIVITIES.**

3 Title IV (50 U.S.C. 1841 et seq.) is amended—

4 (1) in section 402 (as amended by section 201
5 of this Act)—

6 (A) in subsection (a)(1), by striking “per-
7 son or to protect against international terrorism
8 or clandestine intelligence activities” and insert-
9 ing “person, to protect against international
10 terrorism, or to protect against clandestine in-
11 telligence activities conducted by a foreign
12 power or an agent of a foreign power”; and

13 (B) in subsection (c)(2), by striking “or
14 clandestine intelligence activities” and inserting
15 “or to protect against clandestine intelligence
16 activities conducted by a foreign power or an
17 agent of a foreign power”; and

18 (2) in section 403—

19 (A) in subsection (a) in the matter pre-
20 ceeding paragraph (1), by striking “or clandes-
21 tine intelligence activities” and inserting “or to
22 protect against clandestine intelligence activities
23 conducted by a foreign power or an agent of a
24 foreign power”; and

1 (B) in subsection (b)(1), by striking “or
2 clandestine intelligence activities” and inserting
3 “or to protect against clandestine intelligence
4 activities conducted by a foreign power or an
5 agent of a foreign power”.

At the end of title V, add the following new section:

6 **SEC. 502. INVESTIGATIONS TO PROTECT AGAINST CLAN-**
7 **DESTINE INTELLIGENCE ACTIVITIES.**

8 (a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE
9 TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b)
10 of title 18, United States Code, is amended—

11 (1) in paragraph (1), by striking “or clandes-
12 tine intelligence activities” and inserting “or to pro-
13 tect against clandestine intelligence activities con-
14 ducted by a foreign power or an agent of a foreign
15 power”; and

16 (2) in paragraph (2), by striking “or clandes-
17 tine intelligence activities” and inserting “or to pro-
18 tect against clandestine intelligence activities con-
19 ducted by a foreign power or an agent of a foreign
20 power”.

21 (b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN
22 INTELLIGENCE AND PROTECTIVE PURPOSES.—Section
23 1114(a)(5) of the Right to Financial Privacy Act of 1978
24 (12 U.S.C. 3414(a)(5)) is amended by striking “or clan-

1 destine intelligence activities” and inserting “or to protect
2 against clandestine intelligence activities conducted by a
3 foreign power or an agent of a foreign power”.

4 (c) DISCLOSURES TO FBI OF CERTAIN CONSUMER
5 RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Sec-
6 tion 626 of the Fair Credit Reporting Act (15 U.S.C.
7 1681u) is amended—

8 (1) in subsection (a), by striking “or clandes-
9 tine intelligence activities” and inserting “or to pro-
10 tect against clandestine intelligence activities con-
11 ducted by a foreign power or an agent of a foreign
12 power”;

13 (2) in subsection (b), by striking “or clandes-
14 tine intelligence activities” and inserting “or to pro-
15 tect against clandestine intelligence activities con-
16 ducted by a foreign power or an agent of a foreign
17 power”; and

18 (3) in subsection (c), by striking “or clandestine
19 intelligence activities” and inserting “or to protect
20 against clandestine intelligence activities conducted
21 by a foreign power or an agent of a foreign power”.

