AMENDMENT TO RULES COMM. PRINT 115–23

OFFERED BY M_ . __________

At the end of subtitle F of title X, add the following new section:

SEC. 10 . PROHIBITION ON USING FUNDS TO CONDUCT
WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

(a) PROHIBITION ON USING FUNDS FOR THE
SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF
UNITED STATES PERSONS.—Except as provided in sub-
section (b), no amounts authorized to be appropriated or
otherwise made available to the Department of Defense
shall be used by an officer or employee of the United
States to conduct a search of a collection of communica-
tions acquired under section 702 of the Foreign Intel-
ligence Surveillance Act (50 U.S.C. 1881a) in an effort
to find communications of a particular United States per-
son (other than a corporation).

(b) CONCURRENT AUTHORIZATION AND EXCEPTION
FOR EMERGENCY SITUATIONS.—Subsection (a) shall not
apply to a search for communications related to a par-
ticular United States person if—
(1) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or title 18, United States Code, for the effective period of that order;

(2) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

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