



1                   “(iii) a community facility, as that  
2                   term is defined in section 315 of the De-  
3                   fense Housing and Community Facilities  
4                   and Services Act of 1951 (42 U.S.C.  
5                   1592n); or

6                   “(iv) a food service establishment, as  
7                   that term is defined in section 281 of the  
8                   Agricultural Marketing Act of 1946 (7  
9                   U.S.C. 1638); or”;

10                  (4) in subparagraph (F), as redesignated—

11                   (A) by inserting “custodian,” after “em-  
12                   ployee,”;

13                   (B) by striking “or” before “(D)”;

14                   (C) by inserting “, or (E)” after “(D)”.

15                  (b) Paragraph (6) of section 801 of the Foreign Intel-  
16                  ligence Surveillance Act of 1978 is amended—

17                   (1) by redesignating subparagraphs (E) and  
18                   (F) as subparagraphs (F) and (G), respectively;

19                   (2) in subparagraph (F), as redesignated, by  
20                   striking “; or” and inserting a semicolon;

21                   (3) by inserting after subparagraph (D) the fol-  
22                   lowing new subparagraph:

23                   “(E) any other service provider who has  
24                   access to equipment that is being or may be  
25                   used to transmit or store wire or electronic

1           communications, but not including any entity  
2           that serves primarily as—

3                   “(i) a public accommodation facility,  
4                   as that term is defined in section 501(4);

5                   “(ii) a dwelling, as that term is de-  
6                   fined in section 802 of the Fair Housing  
7                   Act (42 U.S.C. 3602);

8                   “(iii) a community facility, as that  
9                   term is defined in section 315 of the De-  
10                  fense Housing and Community Facilities  
11                  and Services Act of 1951 (42 U.S.C.  
12                  1592n); or

13                  “(iv) a food service establishment, as  
14                  that term is defined in section 281 of the  
15                  Agricultural Marketing Act of 1946 (7  
16                  U.S.C. 1638);”; and

17           (4) in subparagraph (G), as redesignated—

18                   (A) by inserting “custodian,” after “em-  
19                   ployee,”;

20                   (B) by striking “or” before “(E)”; and

21                   (C) by inserting “, or (F)” after “(E)”.

