AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 2596
OFFERED BY MS. LOFGREN OF CALIFORNIA

Page 29, after line 11, insert the following:

SEC. 317. PROHIBITION ON USING FUNDS TO CONDUCT WARRANTLESS SEARCHING OF COLLECTIONS OF COMMUNICATIONS FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

(a) PROHIBITION.—Except as provided in subparagraph (b), none of the funds authorized to be appropriated by this Act may be used by an officer or employee of the United States to conduct a search of a collection of communications acquired under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) in an effort to find communications of a particular United States person (other than a corporation).

(b) EXCEPTION.—Subparagraph (a) shall not apply to a search for communications related to a particular 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 sec-
tion 105, 304, 703, 704, or 705, or title 18, United
States Code, for the effective period of that order;

(2) the entity carrying out the search has a rea-
sonable 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.

SEC. 318. PROHIBITION ON USING FUNDS FOR DATA SECU-
RITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection
(b), none of the funds authorized to be appropriated by
this Act may be used by an officer or employee of the
United States to mandate or request that a manufacturer,
developer, or seller of covered products design or alter the
security functions in its product or service to allow the
surveillance of any user of such product or service, or to
allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to
mandates authorized under the Communications Assist-
ance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given
the term in section 3502 of title 44, United States
Code; and
the term “covered product” means any computer hardware, computer software, or electronic device that is made available to the general public.