AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3361
OFFERED BY MS. LOFGREN OF CALIFORNIA

After title VI, insert the following new title:

TITLE VII—ENCRYPTION AND
PRIVACY TECHNOLOGY OF
ELECTRONIC DEVICES AND
SOFTWARE

SEC. 701. ENCRYPTION AND PRIVACY TECHNOLOGY OF
ELECTRONIC DEVICES AND SOFTWARE.

Notwithstanding any other provision of law, the Di-
rector of the Federal Bureau of Investigation, the Attor-
ney General, and the Director of National Intelligence may
not mandate, and no Federal agency may mandate at the
request of the Director of the Federal Bureau of Invest-
tigation, the Attorney General, or the Director of National
Intelligence, that the manufacturer of an electronic device,
developer of software for an electronic device, or standards
organization build into an electronic device, software, or
standard a mechanism that allows for the bypass of the
encryption or privacy technology of such device, such soft-
ware, or such standard.