AMENDMENT TO RULES COMMITTEE PRINT 117–13

OFFERED BY MR. MALINOWSKI OF NEW JERSEY

Page 1390, after line 19, add the following new section (and update the table of contents accordingly):

SEC. 6013. PROHIBITION OF FEDERAL FUNDING FOR INDIRECT OR REQUIRED UNDERMINING OF SECURITY OF CONSUMER COMMUNICATIONS GOODS.

(a) PROHIBITION.—None of the funds made available in this or any other Act may be used by any Federal agency to require, support, pay, or otherwise induce any private sector provider of consumer software and hardware to—

(1) intentionally add any security vulnerability or weaken or omit any safeguard in the standards, items, or services of the provider;

(2) remove or omit any information security function, mechanism, service, or solution from the items or services of the provider; or

(3) take any action that—

(A) undermines, circumvents, defeats, bypasses, or otherwise counteracts the end-to-end
encryption of the item or service of the provider;

(B) prevents an item or service from adopting end-to-end encryption; or

(C) otherwise makes an unencrypted version of the end-to-end encrypted content of any communication, file, or data of the item or service of the provider available to any person or entity other than the intended recipients.

(b) FEDERAL AGENCY DEFINED.—In this section, the term “Federal agency” means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.