

**AMENDMENT TO H.R. 2048, AS REPORTED**  
**OFFERED BY MR. POLIS OF COLORADO**

Page 13, after line 8, insert the following new subsection:

1           (c) PROHIBITION ON BULK COLLECTION BY ELE-  
2 MENTS OF THE DEPARTMENT OF JUSTICE.—Section 506  
3 of the Controlled Substances Act is amended by adding  
4 at the end the following new subsection:

5           “(d) LIMITATION ON DEMANDS TO PRODUCE  
6 RECORDS CONTAINING TANGIBLE THINGS.—(1) Any sub-  
7 poena of tangible things made pursuant to subsection (a)  
8 must name a specific selection term to be used as the basis  
9 for the production of the tangible things sought.

10           “(2)(A) In this subsection, a ‘specific selection  
11 term’—

12                   “(i) is a term that specifically identifies a per-  
13 son, account, address, or personal device, or any  
14 other specific identifier; and

15                   “(ii) is used to limit, to the greatest extent rea-  
16 sonably practicable, the scope of tangible things  
17 sought consistent with the purpose for seeking the  
18 tangible things.

1       “(B) A specific selection term under subparagraph  
2 (A) does not include an identifier that does not limit, to  
3 the greatest extent reasonably practicable, the scope of  
4 tangible things sought consistent with the purpose for  
5 seeking the tangible things, such as an identifier that—

6           “(i) identifies an electronic communication serv-  
7 ice provider (as that term is defined in section 701  
8 of the Foreign Intelligence Surveillance Act of 1978  
9 (50 U.S.C. 1801 et seq.)) or a provider of remote  
10 computing service (as that term is defined in section  
11 2711 of title 18, United States Code), when not  
12 used as part of a specific identifier as described in  
13 clause (i), unless the provider is itself a subject of  
14 an authorized investigation for which the specific se-  
15 lection term is used as the basis for the production;  
16 or

17           “(ii) identifies a broad geographic region, in-  
18 cluding the United States, a city, a county, a State,  
19 a zip code, or an area code, when not used as part  
20 of a specific identifier as described in subparagraph  
21 (A).

22       “(C) Nothing in this paragraph shall be construed to  
23 preclude the use of multiple terms or identifiers to meet  
24 the requirements of subparagraph (A).

1       “(3) No subpoena of tangible things issued under this  
2 subsection may authorize the collection of tangible things  
3 without the use of a specific selection term that meets the  
4 requirements of paragraph (2).”.

