H. R. 5800

To prohibit Federal agencies from mandating the deployment of vulnerabilities in data security technologies.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2014

Ms. LOFGREN (for herself, Mr. MASSIE, Mr. CONYERS, Mr. AMASH, Mr. O’ROURKE, Mr. SENSENBRENNER, Ms. DELBENE, Mr. POE of Texas, Mr. NADLER, and Mr. HOLT) introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select), and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To prohibit Federal agencies from mandating the deployment of vulnerabilities in data security technologies.

1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

3. SECTION 1. SHORT TITLE.

This Act may be cited as the “Secure Data Act of 2014”.

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SEC. 2. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) In General.—Except as provided in subsection (b), no agency may mandate 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 Assistance 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

(2) the term “covered product” means any computer hardware, computer software, or electronic device that is made available to the general public.

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