115TH CONGRESS
2D Session

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Ms. LOFGREN introduced the following bill; which was referred to the

Committee on

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 Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Secure Data Act of
5 2018”.

6 SEC. 2. PROHIBITION ON DATA SECURITY VULNERABILITY

7 MANDATES.

8 (a) AGENCY ACTIONS.—Except as provided in sub-
9 section (c), no agency may 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) Court Orders.—Except as provided in subsection (c), no court may issue an order to compel a manufacturer, developer, or seller of covered products to 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 an agency.

(c) Exception.—Subsections (a) and (b) shall not apply to mandates, requests, or court orders authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(d) 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.