

.....
(Original Signature of Member)

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

1 manufacturer, developer, or seller of covered products de-
2 sign or alter the security functions in its product or service
3 to allow the surveillance of any user of such product or
4 service, or to allow the physical search of such product,
5 by any agency.

6 (b) COURT ORDERS.—Except as provided in sub-
7 section (c), no court may issue an order to compel a manu-
8 facturer, developer, or seller of covered products to design
9 or alter the security functions in its product or service to
10 allow the surveillance of any user of such product or serv-
11 ice, or to allow the physical search of such product, by
12 an agency.

13 (c) EXCEPTION.—Subsections (a) and (b) shall not
14 apply to mandates, requests, or court orders authorized
15 under the Communications Assistance for Law Enforce-
16 ment Act (47 U.S.C. 1001 et seq.).

17 (d) DEFINITIONS.—In this section—

18 (1) the term “agency” has the meaning given
19 the term in section 3502 of title 44, United States
20 Code; and

21 (2) the term “covered product” means any com-
22 puter hardware, computer software, or electronic de-
23 vice that is made available to the general public.