

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5800

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

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## 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

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## 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       2014”.

1 **SEC. 2. PROHIBITION ON DATA SECURITY VULNERABILITY**  
2 **MANDATES.**

3 (a) **IN GENERAL.**—Except as provided in subsection  
4 (b), no agency may mandate that a manufacturer, devel-  
5 oper, or seller of covered products design or alter the secu-  
6 rity functions in its product or service to allow the surveil-  
7 lance of any user of such product or service, or to allow  
8 the physical search of such product, by any agency.

9 (b) **EXCEPTION.**—Subsection (a) shall not apply to  
10 mandates authorized under the Communications Assist-  
11 ance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

12 (c) **DEFINITIONS.**—In this section—

13 (1) the term “agency” has the meaning given  
14 the term in section 3502 of title 44, United States  
15 Code; and

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

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