EAS15655 S.L.C.

AMENDMENT NO	Calendar No
searching of collections	cation on the prohibition on of communications to conduct or the communications United
IN THE SENATE OF THE UNIT	ED STATES-114th Cong., 1st Sess.
н. г	2.1735
activities of the Depart construction, and for de- ment of Energy, to	For fiscal year 2016 for military ement of Defense, for military efense activities of the Depart- prescribe military personnel l year, and for other purposes.
Referred to the Committee of ordered to	on and o be printed
Ordered to lie on the	table and to be printed
	e proposed by Ms. Baldwin to 3) proposed by Mr. McCain
Viz:	
1 At the appropriate pl	ace, insert the following:
2 SEC CLARIFICATIO	N ON PROHIBITION ON SEARCH-
3 ING OF COLL	LECTIONS OF COMMUNICATIONS
4 TO CONDUCT	T WARRANTLESS SEARCHES FOR
5 THE COMMU	NICATIONS OF UNITED STATES
6 PERSONS.	
7 Section 702(b) of the	ne Foreign Intelligence Surveil-
8 lance Act of 1978 (50 H S	C 1881a(b)) is amended—

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1	(1) by redesignating paragraphs (1) through
2	(5) as subparagraphs (A) through (E), respectively,
3	and indenting such subparagraphs, as so redesig-
4	nated, an additional two ems from the left margin;
5	(2) by striking "An acquisition" and inserting
6	the following:
7	"(1) In general.—An acquisition"; and
8	(3) by adding at the end the following:
9	"(2) Clarification on prohibition on
10	SEARCHING OF COLLECTIONS OF COMMUNICATIONS
11	OF UNITED STATES PERSONS.—
12	"(A) In general.—Except as provided in
13	subparagraph (B), no officer or employee of the
14	United States may conduct a search of a collec-
15	tion of communications acquired under this sec-
16	tion in an effort to find communications of a
17	particular United States person (other than a
18	corporation).
19	"(B) Concurrent authorization and
20	EXCEPTION FOR EMERGENCY SITUATIONS.—
21	Subparagraph (A) shall not apply to a search
22	for communications related to a particular
23	United States person if—
24	"(i) such United States person is the
25	subject of an order or emergency author-

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1	ization authorizing electronic surveillance
2	or physical search under section 105, 304,
3	703, 704, or 705 of this Act, or under title
4	18, United States Code, for the effective
5	period of that order;
6	"(ii) the entity carrying out the
7	search has a reasonable belief that the life
8	or safety of such United States person is
9	threatened and the information is sought
10	for the purpose of assisting that person; or
11	"(iii) such United States person has
12	consented to the search.".