

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide clarification on the prohibition on searching of collections of communications to conduct warrantless searches for the communications United States persons.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H. R. 1735

To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. BALDWIN to
the amendment (No. 1463) proposed by Mr. MCCAIN

Viz:

- 1 At the appropriate place, insert the following:
- 2 **SEC. ____ . CLARIFICATION ON PROHIBITION ON SEARCH-**
- 3 **ING OF COLLECTIONS OF COMMUNICATIONS**
- 4 **TO CONDUCT WARRANTLESS SEARCHES FOR**
- 5 **THE COMMUNICATIONS OF UNITED STATES**
- 6 **PERSONS.**

- 7 Section 702(b) of the Foreign Intelligence Surveil-
- 8 lance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

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.”.