

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 116-57**  
**OFFERED BY MR. BANKS OF INDIANA**

At the end of subtitle B of title XVI add the following new section:

1 **SEC. 16\_\_ . PROHIBITION ON INDIVIDUALS WITH SECURITY CLEARANCES FROM BEING EMPLOYED**  
2 **BY CERTAIN ENTITIES.**  
3

4 (a) PROHIBITION.—Section 3002 of the Intelligence  
5 Reform and Terrorism Prevention Act of 2004 (50 U.S.C.  
6 3343) is amended by adding at the end the following new  
7 subsection:

8 “(e) PROHIBITION ON CERTAIN EMPLOYMENT.—

9 “(1) PROHIBITION.—A covered person may not  
10 be employed by, contract with, or otherwise receive  
11 funding from, any covered entity during the following  
12 periods:

13 “(A) A period in which the person holds a  
14 security clearance.

15 “(B) The 5-year period beginning on the  
16 date that the security clearance of a person becomes  
17 inactive.

1           “(2) PENALTIES.—Any person who knowingly  
2 violates the prohibition in paragraph (1) shall be  
3 fined under title 18, United States Code, or impris-  
4 oned for not more than 5 years, or both.

5           “(3) NOTIFICATION.—A person who holds a se-  
6 curity clearance shall be notified of the prohibition  
7 in paragraph (1), including a list of the covered enti-  
8 ties, as follows:

9           “(A) At the time at which the person is  
10 issued the security clearance.

11           “(B) At the time at which the security  
12 clearance of the person is renewed.

13           “(C) At the time at which the security  
14 clearance of the person becomes inactive.

15           “(4) COVERED ENTITY.—

16           “(A) DEFINITION.—Subject to subpara-  
17 graph (B), in this subsection, the term ‘covered  
18 entity’ means any of the following entities (in-  
19 cluding any subsidiary or affiliate of such enti-  
20 ties):

21           “(i) Huawei Technologies Company.

22           “(ii) ZTE Corporation.

23           “(iii) Hytera Communications Cor-  
24 poration.

1                   “(iv) Hangzhou Hikvision Digital  
2                   Technology Company.

3                   “(v) Dahua Technology Company.

4                   “(vi) Kaspersky Lab.

5                   “(B) MODIFICATIONS.—The Director of  
6                   National Intelligence, in consultation with the  
7                   Secretary of Defense or the Director of the  
8                   Federal Bureau of Investigation, may add or  
9                   remove entities to the list of covered entities in  
10                  subparagraph (A) based on whether the Direc-  
11                  tor determines there is reasonable belief that  
12                  the entity is owned or controlled by, or other-  
13                  wise connected to or receiving financial support  
14                  from, the government of the People’s Republic  
15                  of China, the government of the Russian Fed-  
16                  eration, the government of the Islamic Republic  
17                  of Iran, or the government of the Democratic  
18                  People’s Republic of Korea.”.

19                  (b) APPLICATION.—

20                  (1) IN GENERAL.—Subsection (e) of section  
21                  3002 of the Intelligence Reform and Terrorism Pre-  
22                  vention Act of 2004 (50 U.S.C. 3343) shall apply  
23                  with respect to an individual who is employed by,  
24                  contracts with, or otherwise receives funding from,

1 any covered entity under such subsection on or after  
2 the date of the enactment of this Act.

3 (2) NOTIFICATION.—Not later than 30 days  
4 after the date of the enactment of this Act, each  
5 person who holds a security clearance as of such  
6 date shall be notified of the prohibition in such sub-  
7 section (e), including a list of the covered entities  
8 under such subsection.

