AMENDMENT TO RULES COMMITTEE PRINT 116–57

OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle A of title XVII, insert the following:

SEC. 17. SECURITY ASSESSMENT OF DEPARTMENT OF DEFENSE VIDEO CONFERENCING SYSTEMS.

(a) Assessment.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of the Defense Information Systems Agency, shall conduct an assessment regarding whether any video conferencing system used by Department of Defense personnel in the course of their official duties—

(1) fails to employ end-to-end encryption with respect to official communications transmitted by Department personnel;

(2) transfers or stores any official communications transmitted by Department personnel in the People’s Republic of China (including any Special Administrative Region thereof) or the Russian Federation;
(3) transfers or stores any official communications transmitted by Department personnel in any other country which is not a signatory of the United Kingdom–United States of America Agreement (commonly referred to as the “Five Eyes’’); or

(4) otherwise engages in practices which the Secretary determines may present a tangible threat to the privacy of communications transmitted by Department personnel.

(b) REPORT TO CONGRESS.—Not later than 30 days after completing the assessment under subsection (a), the Secretary shall submit to the congressional defense committees the findings of the assessment.

(e) LIMITATION ON USE.—Not later than 30 days after completing the assessment under subsection (a), the Secretary shall prohibit the use of any video conferencing system identified as transferring or storing communication as described in paragraph (2) of such subsection.

(d) RULE OF CONSTRUCTION.—The prohibition under subsection (c) shall not be construed as limiting the authority of the Secretary to prohibit the use of other video conferencing systems on other grounds, including those grounds described in paragraphs (1), (3), and (4) of subsection (a).