

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MR. GALLEGO OF ARIZONA

Strike section 852 and insert the following:

1 **SEC. 852. ASSURED SECURITY AGAINST INTRUSION ON**
2 **UNITED STATES MILITARY NETWORKS.**

3 (a) PROHIBITION.—Except as provided in this sec-
4 tion, the Secretary of Defense shall only award contracts
5 for the procurement of telecommunications equipment and
6 services for national security installations in territories of
7 the United States located in the Pacific Ocean to allowed
8 contractors.

9 (b) EXCEPTION.—Subsection (a) shall not apply to
10 contracts for the procurement of telecommunications
11 equipment and services that—

12 (1) do not process or carry any information
13 about the operations of the Armed Forces of the
14 United States or otherwise concern the national se-
15 curity of the United States; or

16 (2) cannot route or redirect user data traffic or
17 permit visibility into any user data or packets that
18 such services or facilities transmit or otherwise han-
19 dle.

1 (c) WAIVER.—The Secretary of Defense may waive
2 the restriction of subsection (a) upon a written determina-
3 tion that such a waiver is in the national security interests
4 of the United States and either—

5 (1) a contractor that is not an allowed con-
6 tractor would not have the ability to track, record,
7 listen, or otherwise access data or voice communica-
8 tions of the Department of Defense through the pro-
9 vision of the telecommunications equipment or serv-
10 ices; or

11 (2) a qualified allowed contractor is not avail-
12 able to perform the contract at a fair and reasonable
13 price.

14 (d) DEFINITIONS.—In this section:

15 (1) ALLOWED CONTRACTOR.—The term “al-
16 lowed contractor” means an entity (including any af-
17 filiates or subsidiaries) that is a contractor or sub-
18 contractor (at any tier)—

19 (A) for which the principal place of busi-
20 ness of such entity is located in the United
21 States or in a foreign country that is not an ad-
22 versary of the United States; and

23 (B) that does not have significant connec-
24 tions, including ownership interests in, or joint
25 ventures with, any entity identified in para-

1 graph (f)(3) of section 889 of the John S.
2 McCain National Defense Authorization Act for
3 Fiscal Year 2019 (Public Law 115–232; 132
4 Stat. 1918; 41 U.S.C. 3901 note).

5 (2) NATIONAL SECURITY INSTALLATION.—The
6 term “national security installation” means any fa-
7 cility operated by the Department of Defense.

