AMENDMENT TO RULES COMMITTEE PRINT 116-19

OFFERED BY MR. GALLEGO OF ARIZONA

Strike section 852 and insert the following:

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

(a) PROHIBITION.—Except as provided in this section, the Secretary of Defense shall only award contracts for the procurement of telecommunications equipment and services for national security installations in territories of the United States located in the Pacific Ocean to allowed contractors.

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

(1) do not process or carry any information about the operations of the Armed Forces of the United States or otherwise concern the national security of the United States; or

(2) cannot route or redirect user data traffic or permit visibility into any user data or packets that such services or facilities transmit or otherwise handle.
(c) WAIVER.—The Secretary of Defense may waive the restriction of subsection (a) upon a written determination that such a waiver is in the national security interests of the United States and either—

(1) a contractor that is not an allowed contractor would not have the ability to track, record, listen, or otherwise access data or voice communications of the Department of Defense through the provision of the telecommunications equipment or services; or

(2) a qualified allowed contractor is not available to perform the contract at a fair and reasonable price.

(d) DEFINITIONS.—In this section:

(1) ALLOWED CONTRACTOR.—The term “allowed contractor” means an entity (including any affiliates or subsidiaries) that is a contractor or subcontractor (at any tier)—

(A) for which the principal place of business of such entity is located in the United States or in a foreign country that is not an adversary of the United States; and

(B) that does not have significant connections, including ownership interests in, or joint ventures with, any entity identified in para-

(2) NATIONAL SECURITY INSTALLATION.—The term “national security installation” means any facility operated by the Department of Defense.