

**AMENDMENT TO COMMITTEE PRINT 117-13**  
**OFFERED BY MR. KELLY OF MISSISSIPPI**

At the end of subtitle C of title VIII, add the following new section:

**1 SEC. 8\_\_\_\_. STATEMENT OF POLICY AND DETERMINATION**  
**2 RELATED TO COVERED OPTICAL TRANS-**  
**3 MISSION EQUIPMENT OR SERVICES.**

**4 (a) STATEMENT OF POLICY.—**It is the policy of the  
**5 United States that covered optical transmission equipment**  
**6 or services is a critical component of the United States**  
**7 information and communications technology supply chain,**  
**8 and the Department of Defense should procure covered**  
**9 optical transmission equipment or services from trusted**  
**10 manufacturers and suppliers for use in communications**  
**11 networks.**

**12 (b) DETERMINATION RELATED TO COVERED OPTI-**  
**13 CAL TRANSMISSION EQUIPMENT OR SERVICES.—**

**14 (1) PROCEEDING.—**Not later than 45 days  
**15 after the date of the enactment of this Act, the Sec-**  
**16 retary of Defense shall commence a process to make**  
**17 a determination whether a proposed procurement of**  
**18 covered optical transmission equipment or services**  
**19 that is manufactured, produced, or distributed by an**

1       entity owned, controlled, or supported by the Peo-  
2       ple’s Republic of China poses an unacceptable risk  
3       to the national security of the United States.

4               (2) COMMUNICATION OF DETERMINATION.—If  
5       the Secretary determines pursuant to paragraph (1)  
6       that a proposed procurement of covered optical  
7       transmission equipment or services poses an unac-  
8       ceptable risk, the Secretary shall immediately pub-  
9       lish that determination in the Federal Register and  
10      submit that determination to the relevant Federal  
11      agencies, including the Department of Commerce  
12      and the Federal Communications Commission.

13      (c) COVERED OPTICAL TRANSMISSION EQUIPMENT  
14      OR SERVICES DEFINED.—In this section, the term “cov-  
15      ered optical transmission equipment or services” means—

16              (1) optical transmission equipment, including  
17      optical fiber and cable, that is capable of routing or  
18      redirecting user data traffic or permitting visibility  
19      into any user data or packets that such equipment  
20      transmits or handles; or

21              (2) services that use such equipment.

