

AMENDMENT TO RULES COMM. PRINT 118–36
OFFERED BY MR. LAWLER OF NEW YORK

At the end of subtitle C of title XVII, add the following:

1 **SEC. 17__ . CONTROL OF REMOTE ACCESS OF ITEMS UNDER**
2 **THE EXPORT CONTROL REFORM ACT OF 2018.**

3 The Export Control Reform Act of 2018 is amended
4 as follows:

5 (1) In section 1742 (50 U.S.C. 4801), by adding
6 at the end the following:

7 “(15) REMOTE ACCESS.—The term ‘remote access’ means—

9 “(A) access to an item subject to the jurisdiction
10 of the United States by a foreign person
11 through a network connection, including the
12 internet or a cloud computing service, from a
13 location other than where the item is physically
14 located; or

15 “(B) any other form of access specified in
16 regulations promulgated by the Secretary.”.

17 (2) In section 1752 (50 U.S.C. 4811)—

18 (A) in paragraph (1)—

1 (i) in subparagraph (A), by inserting
2 “or remote access of such items” after
3 “export of items”; and

4 (ii) in subparagraph (B), by inserting
5 “or remote access of such items” after
6 “export of items”; and
7 (B) in paragraph (2)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “and in-country
10 transfer of items” and inserting “in-coun-
11 try transfer, and remote access of items”;
12 and

13 (ii) in subparagraph (A), by inserting
14 “or remote access” after “the release”.

15 (3) In section 1753 (50 U.S.C. 4812)—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking
18 “and” at the end;

19 (ii) in paragraph (2)(F), by striking
20 the period at the end and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing:

1 “(3) the remote access of items subject to the
2 jurisdiction of the United States by a foreign per-
3 son.”;

4 (B) in subsection (b)—

5 (i) in paragraph (6), by striking
6 “and” at the end;

7 (ii) in paragraph (7), by striking the
8 period at the end and inserting “; and”;
9 and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(8) regulate the remote access of items de-
13 scribed in (a)(3).”; and

14 (C) in subsection (c)—

15 (i) by striking “or in-country trans-
16 fer” each place it appears and inserting
17 “in-country transfer, or remote access”;
18 and

19 (ii) by striking “subsections (b)(1) or
20 (b)(2)” and inserting “subsections (b)(1),
21 (b)(2), or (b)(8)”.

22 (4) In section 1754 (50 U.S.C. 4813)—

23 (A) in subsection (a)—

24 (i) in paragraph (3), by inserting
25 “and remote access of controlled items”

1 after “in-country transfers of controlled
2 items”;

3 (ii) in paragraph (4), by striking “and
4 in-country transfers” and inserting “in-
5 country transfers, and remote access”;

6 (iii) in paragraph (5), by striking
7 “and in-country transfers” and inserting
8 “in-country transfers, and remote access”;

9 (iv) in paragraph (6), by striking
10 “United States export control” and insert-
11 ing “United States control”;

12 (v) in paragraph (7), by striking “ex-
13 port controls” and inserting “controls”;

14 (vi) in paragraph (10), by striking “or
15 in-country transferred” and inserting “in-
16 country transferred or accessed remotely”;

17 (vii) in paragraph (11), by adding at
18 the end before the semicolon the following:
19 “or remote access”; and

20 (viii) in paragraph (15), by adding at
21 the end before “; and” the following: “or
22 remotely access”;

23 (B) in subsection (b), by striking “or in-
24 country transfer” and inserting “in-country
25 transfer, or remote access”; and

1 (C) in subsection (d)(1)(A), by striking “or
2 in-country transfer” and inserting “in-country
3 transfer, or remote access”.

4 (5) In section 1755 (50 U.S.C. 4814)—

5 (A) in subsection (b)(2)—

6 (i) in subparagraph (C), by striking
7 “and in-country transfers” and inserting
8 “in-country transfers, and remote access”;
9 and

10 (ii) in subparagraph (E), by striking
11 “and in-country transfers” and inserting
12 “in-country transfers, and remote access”;
13 and

14 (B) in subsection (e), by striking “export
15 controls” and inserting “controls”.

16 (6) In section 1756 (50 U.S.C. 4815)—

17 (A) in subsection (a), in the matter pre-
18 ceding paragraph (1), by striking “and in-coun-
19 try transfer” and inserting “in-country trans-
20 fer, and remote access”; and

21 (B) in subsection (b), by striking “or in-
22 country transfer” and inserting “in-country
23 transfer, or remote access”.

24 (7) In section 1757 (50 U.S.C. 4816)—

1 (A) in subsection (a), by striking “or in-
2 country transfer” and inserting “in-country
3 transfer, or remote access”; and

4 (B) in subsection (c)(2), by striking “ex-
5 port controls” and inserting “controls”.

6 (8) In section 1760 (50 U.S.C. 4819)—

7 (A) in subsection (a)(2)(F)—

8 (i) in clause (ii), by striking “any ex-
9 port control document or any report” and
10 inserting “any document or report”; and

11 (ii) in clause (iii), by striking “or in-
12 country transfer” and inserting “in-coun-
13 try transfer, or remote access”;

14 (B) in subsection (c)(1)(C), by striking “or
15 in-country transfer” and inserting “in-country
16 transfer, or remotely access (including the pro-
17 vision thereof)”; and

18 (C) in subsection (e)(1)(A)—

19 (i) in clause (i), by striking “or in-
20 country transfer outside the United States
21 any item” and inserting “in-country trans-
22 fer outside the United States any item or
23 remotely access any item”; and

1 (ii) in clause (ii), by striking “or in-
2 country transfer” and inserting “in-coun-
3 try transfer, or remote access”.

4 (9) In section 1761 (50 U.S.C. 4820)—

5 (A) in subsection (a)(5), by striking “or in-
6 country transferred” and inserting “in-country
7 transferred, or remotely accessed”; and

8 (B) in subsection (h)(1)(B), by striking
9 “or in-country transfer” and inserting “in-coun-
10 try transfer, or remotely access”.

11 (10) In section 1767(b)(2)(A) (50 U.S.C.
12 4825(b)(2)(A)), by striking “and in-country trans-
13 fer” and inserting “in-country transfer, or remote
14 access”.

