

**AMENDMENT TO RULES COMM. PRINT 119–33**

**OFFERED BY MR. LAWLER OF NEW YORK**

At the end of title XVII of division A, add the following:

1           **Subtitle C—Remote Access**  
2                           **Security Act**

3 **SEC. 17\_\_. SHORT TITLE.**

4           This subtitle may be cited as the “Remote Access Security Act”.

6 **SEC. 17\_\_. CONTROL OF REMOTE ACCESS OF ITEMS UNDER**  
7                           **THE EXPORT CONTROL REFORM ACT OF 2018.**

8           The Export Control Reform Act of 2018 is amended  
9 as follows:

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

12           “(15) REMOTE ACCESS.—The term ‘remote access’ means access on a purposeful, knowing, reckless, or negligent basis to an item subject to the jurisdiction of the United States under this Act by a foreign person through a network connection, including the internet or a cloud computing service, from a location other than where the item is physically located if the Secretary determines that the use of the

1 item could pose a serious risk to the national secu-  
2 rity or foreign policy of the United States. Nothing  
3 in this paragraph may be construed to lower the req-  
4 uisite mens rea required to be proven for criminal li-  
5 ability under section 1760.”.

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

7 (A) in paragraph (1)—

8 (i) in subparagraph (A), by inserting  
9 “or remote access of such items” after  
10 “export of items”; and

11 (ii) in subparagraph (B), by inserting  
12 “or remote access of such items” after  
13 “export of items”; and

14 (B) in paragraph (2)—

15 (i) in the matter preceding subpara-  
16 graph (A), by striking “and in-country  
17 transfer of items” and inserting “in-coun-  
18 try transfer, and remote access of items”;  
19 and

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

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

23 (A) in subsection (a)—

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

1 (ii) in paragraph (2)(F), by striking  
2 the period at the end and inserting “;  
3 and”; and

4 (iii) by adding at the end the fol-  
5 lowing:

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

9 (B) in subsection (b)—

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

12 (ii) in paragraph (7), by striking the  
13 period at the end and inserting “; and”;  
14 and

15 (iii) by adding at the end the fol-  
16 lowing:

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

19 (C) in subsection (c)—

20 (i) by striking “or in-country trans-  
21 fer” each place it appears and inserting  
22 “in-country transfer, or remote access”;  
23 and

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

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

5 (A) in subsection (a)—

6 (i) in paragraph (3), by striking “and  
7 in-country transfers” and inserting “in-  
8 country transfers, and remote access”;

9 (ii) in paragraph (4), by striking “and  
10 in-country transfers” and inserting “in-  
11 country transfers, and remote access”;

12 (iii) in paragraph (5), by striking  
13 “and in-country transfers” and inserting  
14 “in-country transfers, and remote access”;

15 (iv) in paragraph (6), by striking  
16 “United States export control” and insert-  
17 ing “United States control”;

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

20 (vi) in paragraph (10), by striking “or  
21 in-country transferred” and inserting “in-  
22 country transferred or accessed remotely”;

23 (vii) in paragraph (11), by adding at  
24 the end before the semicolon the following:

25 “or remote access”; and

1 (viii) in paragraph (15), by adding at  
2 the end before “; and” the following: “or  
3 remotely access (including the provision  
4 thereof)”;

5 (B) in subsection (b), by striking “or in-  
6 country transfer” and inserting “in-country  
7 transfer, or remote access”; and

8 (C) in subsection (d)(1)(A), by striking “or  
9 in-country transfer” and inserting “in-country  
10 transfer, or remote access (including the provi-  
11 sion thereof)”.

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

13 (A) in subsection (b)(2)—

14 (i) in subparagraph (C), by striking  
15 “and in-country transfers” and inserting  
16 “in-country transfers, and remote access  
17 (including the provision thereof)”;

18 (ii) in subparagraph (E), by striking  
19 “and in-country transfers” and inserting  
20 “in-country transfers, and remote access  
21 (including the provision thereof)”;

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

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

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

5 (B) in subsection (b), by striking “or in-  
6 country transfer” and inserting “in-country  
7 transfer, or provide remote access to”.

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

9 (A) in subsection (a), by striking “or in-  
10 country transfer” and inserting “in-country  
11 transfer, or remote access”; and

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

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

15 (A) in subsection (a)(2)(F)—

16 (i) in clause (ii), by striking “any ex-  
17 port control document or any report” and  
18 inserting “any document or report”; and

19 (ii) in clause (iii), by striking “or in-  
20 country transfer” and inserting “in-coun-  
21 try transfer, or remote access”;

22 (B) in subsection (c)(1)(C), by striking “or  
23 in-country transfer” and inserting “in-country  
24 transfer, or remotely access (including the pro-  
25 vision thereof)”; and

1 (C) in subsection (e)(1)(A)—

2 (i) in clause (i), by striking “or in-  
3 country transfer outside the United States  
4 any item” and inserting “in-country trans-  
5 fer outside the United States any item or  
6 remotely access any item (or provide such  
7 access)”; and

8 (ii) in clause (ii), by striking “or in-  
9 country transfer” and inserting “in-coun-  
10 try transfer of items, or provide remote ac-  
11 cess to items”.

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

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

16 (B) in subsection (h)(1)(B), by striking  
17 “or in-country transfer” and inserting “in-coun-  
18 try transfer of items, or provide remote access  
19 to items”.

20 (10) In section 1767(b)(2)(A) (50 U.S.C.  
21 4825(b)(2)(A)), by striking “and in-country trans-  
22 fer” and inserting “in-country transfer, or remote  
23 access”.

1 **SEC. 17\_\_ . CONSULTATION WITH CONGRESS.**

2 (a) IN GENERAL.—The Secretary of Commerce shall  
3 ensure that the appropriate congressional committees are  
4 kept fully and currently informed of any anticipated pro-  
5 mulgation of regulations to control the remote access of  
6 items under the Export Control Reform Act of 2018, as  
7 amended by section 17\_\_, including ensuring such com-  
8 mittees are informed, in a classified setting as necessary,  
9 on—

10 (1) the national security risk that would be ad-  
11 dressed by the regulations;

12 (2) how the method of the regulations addresses  
13 the national security risk; and

14 (3) how the regulations may impact the econ-  
15 omy of the United States.

16 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
17 tion may be construed to require the approval of the ap-  
18 propriate congressional committees as a condition prece-  
19 dent to the exercise of an authority under the Export Con-  
20 trol Reform Act of 2018, as amended by section 17\_\_.

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
22 FINED.—In this section, the term “appropriate congres-  
23 sional committees” means—

24 (1) the Committee on Foreign Affairs of the  
25 House of Representatives; and

1           (2) the Committee on Banking, Housing, and  
2           Urban Affairs of the Senate.

3 **SEC. 17\_ . ASSESSMENT OF PEOPLE’S REPUBLIC OF CHI-**  
4                   **NA’S MILITARY USE OF ARTIFICIAL INTEL-**  
5                   **LIGENCE.**

6           (a) IN GENERAL.—Not later than 180 days after the  
7           date of the enactment of this Act, and annually thereafter,  
8           the Secretary of Defense shall submit to the Committee  
9           on Armed Services and the Committee on Foreign Affairs  
10          of the House of Representatives and the Committee on  
11          Armed Services and the Committee on Foreign Relations  
12          of the Senate a report on the People’s Liberation Army  
13          Cyberspace Force use of artificial intelligence.

14          (b) CONTENTS.—The report required by this section  
15          shall detail how the People’s Liberation Army Cyberspace  
16          Force is using artificial intelligence for its modernization  
17          efforts and force posture in the Western Pacific. This shall  
18          include how the People’s Liberation Army Cyberspace  
19          Force is exploiting access to United States and allied ad-  
20          vanced semiconductor technologies and artificial intel-  
21          ligence.

22          (c) FORM.—The report required by this section shall  
23          be submitted in unclassified form but may include a classi-  
24          fied annex.

