Amendment to the Rules Committee Print for H.R. 4909 Offered by Mr. Pittenger of North Carolina

At the end of subtitle C of title XVI, insert the following new section:

SEC. 1635. PROHIBITION ON ACQUISITION OF INFORMA-1 2 TION TECHNOLOGY FROM CERTAIN FOREIGN 3 SUPPLIERS. Section 1637 of the Carl Levin and Howard P. 4 "Buck" McKeon National Defense Authorization Act for 5 Fiscal Year 2015 is amended— 6 (1) by redesignating subsections (c) and (d) as 7 8 subsections (d) and (e); and 9 (2) by inserting after subsection (b) the fol-10 lowing new subsection (c): 11 "(c) PROHIBITION ON ACQUISITION FROM CERTAIN 12 FOREIGN SUPPLIERS.— 13 "(1) IN GENERAL.—No funds authorized to be 14 appropriated or otherwise available to the Depart-15 ment of Defense or any other department or agency 16 for which funds are authorized pursuant to an annual national defense authorization Act may be obli-17

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1	gated or expended for the acquisition of any tele-
2	communications equipment, technologies, or services
3	from an entity that incorporates or utilizes informa-
4	tion technology from a foreign supplier that is close-
5	ly linked to either—
6	"(A) a foreign country that engages in eco-
7	nomic or industrial espionage in cyberspace, as
8	determined under subsection $(a)(2)$; or
9	"(B) a person described in subsection
10	(b)(2).
11	"(2) CERTIFICATION.—If the Director of Na-
12	tional Intelligence certifies that a foreign supplier is
13	not closely linked to a foreign country or person re-
14	ferred to in subparagraph (A) or (B) of paragraph
15	(1) and otherwise does not pose a security threat in
16	cyberspace, the prohibition in paragraph (1) shall
17	not apply with respect to that foreign supplier.
18	"(3) CLOSELY LINKED.—For purposes of this
19	subsection, a foreign supplier is closely linked to a
20	foreign country or person referred to in subpara-
21	graph (A) or (B) of paragraph (1) if the foreign
22	supplier—
23	"(A) has ties to the military forces of such
24	a country;

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1	"(B) has ties to the intelligence services of
2	such a country;
3	"(C) is the beneficiary of significant low-
4	interest or no-interest loans, loan forgiveness,
5	or other support of such a country or person;
6	or
7	"(D) is incorporated or headquartered in
8	such a country.".
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