

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 118–36**  
**OFFERED BY MS. SLOTKIN OF MICHIGAN**

At the end of subtitle D of title VIII, add the following:

1 **SEC. 8\_\_\_.** **SECRETARY OF DEFENSE ASSESSMENT OF**  
2 **THREATS POSED BY INFORMATION AND COM-**  
3 **MUNICATIONS TECHNOLOGY OR SERVICES.**

4 (a) **DOD RISK ASSESSMENT.**—The Secretary of De-  
5 fense, in consultation with the Director of National Intel-  
6 ligence and the Secretary of Commerce, shall conduct a  
7 risk assessment relating to threats posed by ICTS owned  
8 by, controlled by, or subject to the jurisdiction or direction  
9 of a person or jurisdiction of concern to United States na-  
10 tional security or to Department of Defense personnel,  
11 military installations, or any other Department of Defense  
12 property, that includes the following:

13 (1) An identification of the level of undue or  
14 unacceptable risk that connected vehicles and ICTS  
15 integral to connected vehicles owned by, controlled  
16 by, or subject to the jurisdiction or direction of a  
17 person or jurisdiction of concern pose to United  
18 States national security at the time of the report.

1           (2) Specific criteria to evaluate any undue or  
2           unacceptable risk to the national security of the  
3           United States.

4           (3) An identification of any person or jurisdic-  
5           tion of concern, each participant in the supply chain,  
6           and covered ICTS or classes of covered ICTS posing  
7           the highest risks to the national security of the  
8           United States.

9           (b) SUBMISSION OF REPORT ON RISK ASSESS-  
10          MENT.—Not later than 180 days after the date of the en-  
11          actment of this Act, and annually thereafter, the Secretary  
12          of Defense shall submit to the Secretary of Commerce a  
13          report on the risk assessment conducted under subsection  
14          (a) to support any investigation by the Bureau of Industry  
15          and Security of the Department of Commerce relating to  
16          securing the information and communications technology  
17          and services supply chain for connected vehicles.

18          (c) SUBMISSION OF RISK ASSESSMENT.—Not later  
19          than 90 days after the date on which the risk assessment  
20          is submitted to the Secretary under subsection (a), the  
21          Secretary of Defense shall submit the risk assessment to  
22          the relevant congressional committees in unclassified for-  
23          mat.

24          (d) CLASSIFIED ANNEX.—The risk assessment sub-  
25          mitted under subsection (b)—

1 (1) may include a classified annex; and

2 (2) shall only include specific participants in the  
3 supply chain of covered ICTS transactions that pose  
4 risk to the national security of the United States in  
5 the classified annex.

6 (e) DEFINITIONS.—In this section:

7 (1) The term “connected vehicle” means a  
8 motor vehicle (as defined in section 30301 of title  
9 49, United States Code) that integrates onboard  
10 networked hardware with automotive software sys-  
11 tems to communicate via dedicated short-range com-  
12 munication, cellular telecommunications connectivity,  
13 satellite communication, or other wireless spectrum  
14 connectivity with any other network or device and  
15 includes a motor vehicle, whether personal or com-  
16 mercial, capable of global navigation satellite system  
17 communication for geolocation, communication with  
18 intelligent transportation systems, remote access or  
19 control, wireless software or firmware updates, or  
20 on-device roadside assistance.

21 (2) The term “covered ICTS transaction”  
22 means an ICTS transaction that—

23 (A) is conducted by any person subject to  
24 the jurisdiction of the United States or involves

1 property subject to the jurisdiction of the  
2 United States; and

3 (B) involves ICTS designed, developed,  
4 manufactured, or supplied by a person owned  
5 by, controlled by, or subject to the jurisdiction  
6 or direction of a person or jurisdiction of con-  
7 cern.

8 (3) The term “ICTS transaction” means any  
9 acquisition, importation, transfer, installation, deal-  
10 ing in, or use of ICTS, including any ongoing activ-  
11 ity, such as a managed service, data transmission,  
12 software update, repair, or the platforming or data  
13 hosting of an application for consumer download,  
14 and any class of ICTS transactions (including the  
15 acquisition, importation, transfer, installation, deal-  
16 ing in, or use, including any ongoing activity, of any  
17 category of technology product or services, or group  
18 of technology products or services as identified by  
19 the Secretary).

20 (4) The terms “information and communica-  
21 tions technology or services” and “ICTS” mean any  
22 hardware, software, or other product or service, in-  
23 cluding cloud-computing services, primarily intended  
24 to fulfill or enable the function of information or  
25 data processing, storage, retrieval, or communication

1 by electronic means (including electromagnetic, mag-  
2 netic, and photonic), including transmission, storage,  
3 or display.

4 (5)(A) Except as provided in subparagraph (B),  
5 the term “person or jurisdiction of concern” means  
6 any foreign region or country, foreign government,  
7 or foreign person that is engaged in any long-term  
8 pattern or serious instances of activity adverse to  
9 the national security of the United States, the secu-  
10 rity of critical infrastructure of the United States, or  
11 the safety and security of United States persons and  
12 includes the following:

13 (i) Russian Federation.

14 (ii) People’s Republic of China, in-  
15 cluding the Hong Kong Special Adminis-  
16 trative Region and the Macau Special Ad-  
17 ministrative Region.

18 (iii) Republic of Cuba.

19 (iv) Islamic Republic of Iran.

20 (v) Democratic People’s Republic of  
21 Korea.

22 (vi) Venezuelan politician Nicolás  
23 Maduro.

24 (B) The Secretary, in consultation with the  
25 Director of National Intelligence, shall periodi-

1 cally review the list under subparagraph (A)  
2 and may add to, subtract from, supplement, or  
3 otherwise amend the list through publication of  
4 a notice in the Federal Register and shall apply  
5 with respect to any ICTS transaction that is  
6 initiated, pending, or completed on or after the  
7 date of the notice.

8 (6) The term “relevant committees of Con-  
9 gress” means—

10 (A) the Committee on Commerce, Science,  
11 and Transportation, the Committee on Bank-  
12 ing, Housing, and Urban Affairs, the Com-  
13 mittee on Armed Services, and the Select Com-  
14 mittee on Intelligence of the Senate; and

15 (B) the Committee on Energy and Com-  
16 merce, the Committee on Foreign Affairs, the  
17 Committee on Armed Services, and the Perma-  
18 nent Select Committee on Intelligence of the  
19 House of Representatives.

20 (7) The term “Secretary” means the Secretary  
21 of Commerce.

22 (8) The term “undue or unacceptable risk”  
23 means any of the following:

24 (A) The undue risk of sabotage to or sub-  
25 version of the design, integrity, manufacturing,

1 production, distribution, installation, operation,  
2 or maintenance of ICTS in the United States.

3 (B) The undue risk of catastrophic effects  
4 on the security or resiliency of United States  
5 critical infrastructure or the digital economy of  
6 the United States.

7 (C) The unacceptable risk to the national  
8 security of the United States or the security  
9 and safety of United States persons.

