

**AMENDMENT TO RULES COMMITTEE PRINT**

**118-10**

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

Add at the end of subtitle C of title XVIII the following:

1 **SEC. 18\_\_ . PROHIBITION ON THE USE OF CERTAIN FINAN-**  
2 **CIAL SERVICE APPLICATIONS ON GOVERN-**  
3 **MENT PHONES.**

4 (a) PROHIBITION.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, the Di-  
7 rector of the Office of Management and Budget, in  
8 consultation with the Administrator of General Serv-  
9 ices, the Director of the Cybersecurity and Infra-  
10 structure Security Agency, the Director of National  
11 Intelligence, and the Secretary of Defense, and con-  
12 sistent with the information security requirements  
13 under subchapter II of chapter 35 of title 44, United  
14 States Code, shall develop standards and guidelines  
15 for executive agencies requiring the removal of any  
16 covered application from information technology.

17 (2) EXCEPTIONS.—The standards and guide-  
18 lines developed under paragraph (1)—

1 (A) shall include exceptions to the require-  
2 ment described under such paragraph as fol-  
3 lows:

4 (i) An exception for law enforcement  
5 activities.

6 (ii) An exception for national security  
7 interests and activities.

8 (iii) An exception for security re-  
9 searchers.

10 (iv) An exception that allows financial  
11 regulators to test the covered application  
12 for compliance or other purposes in accord-  
13 ance with any requirement from the na-  
14 tional security agencies, including the De-  
15 partment of Homeland Security, the De-  
16 partment of Defense, and the Central In-  
17 telligence Agency, that ensures the covered  
18 application is not able to access informa-  
19 tion from the financial regulator;

20 (B) shall include for any authorized use of  
21 a covered application under an exception, re-  
22 quirements for agencies to develop and docu-  
23 ment risk mitigation actions for such use; and

24 (C) may include any exception determined  
25 necessary for the national interest by the Direc-

1           tor of the Office of Management and Budget, in  
2           consultation with the Administrator of General  
3           Services, the Director of the Cybersecurity and  
4           Infrastructure Security Agency, the Director of  
5           National Intelligence, and the Secretary of De-  
6           fense

7           (b) DEFINITIONS.—In this section:

8           (1) COVERED APPLICATION.—

9           (A) IN GENERAL.—The term “covered ap-  
10          plication” means any financial service applica-  
11          tion domiciled in a jurisdiction controlled by the  
12          People’s Republic of China or controlled by an  
13          entity domiciled in a jurisdiction controlled by  
14          the Chinese Communist Party.

15          (B) CONTROLLED DEFINED.—In this para-  
16          graph, “controlled” means any entity with at  
17          least a 10 percent voting interest.

18          (2) EXECUTIVE AGENCY.—The term “executive  
19          agency” has the meaning given that term in section  
20          133 of title 41, United States Code.

21          (3) INFORMATION TECHNOLOGY.—The term  
22          “information technology” has the meaning given  
23          that term in section 11101 of title 40, United States  
24          Code.

