AMENDMENT TO
RULES COMM. PRINT FOR H.R. 6395.
OFFERED BY MRS. WAGNER OF MISSOURI

Add at the end of subtitle F of title XII the following:

SEC. 12  EXPORT CONTROLS ON CERTAIN TELECOMMUNICATION EQUIPMENT.

(a) IN GENERAL.—Section 1754 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4813) is amended by adding at the end the following:

“(g) CERTAIN TELECOMMUNICATIONS EQUIPMENT.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of State, the Secretary of Defense, and the heads of other appropriate Federal departments and agencies, shall establish and maintain a list of goods and technology that would serve the primary purpose of assisting, or be specifically configured to assist, the People’s Republic of China in acquiring the capability to carry out censorship, surveillance, or any other similar or related activity through means of telecommunications, including the
internet, the prohibition or licensing of which would be effective in barring acquisition or enhancement of such capability. 

“(2) PROHIBITION.—Notwithstanding any other provision of law, the Secretary shall prohibit the export of goods or technology on the list established under paragraph (1) to Chinese state-owned entities or Chinese entities financed, directed, or controlled by the People’s Republic of China or the Chinese Communist Party.

“(3) WAIVER.—The President may waive the application of paragraph (2) with respect to export of goods or technology on the list established under paragraph (1) on a case-by-case basis if the President determines and certifies to Congress that it is in the national interests of the United States to do so.

“(4) DEFINITIONS.—In this subsection, the term ‘Internet’ has the meaning given the term in section 231(e)(3) of the Communications Act of 1934 (47 U.S.C. 231(e)(3)).”.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall revise the Export Administration Regulations
and any other regulations necessary to carry out the amendment made by subsection (a).

(2) EXPORT ADMINISTRATION REGULATIONS DEFINED.—In this subsection, the term “Export Administration Regulations” means the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act and codified, as of the date of the enactment of this Act, in subchapter C of chapter VII of title 15, Code of Federal Regulations.

(c) EFFECTIVE DATE.—Section 1754(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4813(g)), as added by subsection (a), shall take effect on the date of the enactment of this Act.