

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3524
OFFERED BY MRS. WAGNER OF MISSOURI**

At the appropriate place, insert the following:

1 **SEC. __. EXPORT CONTROLS ON CERTAIN TELECOMMUNI-**
2 **CATION EQUIPMENT.**

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

7 “(g) CERTAIN TELECOMMUNICATIONS EQUIP-
8 MENT.—

9 “(1) IN GENERAL.—The Secretary, in consulta-
10 tion with the Secretary of State, the Secretary of
11 Defense, and the heads of other appropriate Federal
12 departments and agencies, shall establish and main-
13 tain a list of goods and technology that would serve
14 the primary purpose of assisting, or be specifically
15 configured to assist, the People’s Republic of China
16 in acquiring the capability to carry out censorship,
17 surveillance, or any other similar or related activity
18 through means of telecommunications, including the
19 internet, the prohibition or licensing of which would

1 be effective in barring acquisition or enhancement of
2 such capability.

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

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

17 “(4) DEFINITIONS.—In this subsection, the
18 term ‘Internet’ has the meaning given the term in
19 section 231(e)(3) of the Communications Act of
20 1934 (47 U.S.C. 231(e)(3)).”.

21 (b) REGULATIONS.—

22 (1) IN GENERAL.—Not later than 90 days after
23 the date of the enactment of this Act, the President
24 shall revise the Export Administration Regulations

1 and any other regulations necessary to carry out the
2 amendment made by subsection (a).

3 (2) EXPORT ADMINISTRATION REGULATIONS
4 DEFINED.—In this subsection, the term “Export Ad-
5 ministration Regulations” means the Export Admin-
6 istration Regulations as maintained and amended
7 under the authority of the International Emergency
8 Economic Powers Act and codified, as of the date of
9 the enactment of this Act, in subchapter C of chap-
10 ter VII of title 15, Code of Federal Regulations.

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

