

**Suspend the Rules and Pass the Bill, H. R. 8152, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
complete new text)**

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8152

To amend the Export Control Reform Act of 2018 to provide for control  
of remote access of items, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2024

Mr. LAWLER (for himself, Mr. JACKSON of North Carolina, Mr. McCORMICK,  
and Ms. CROCKETT) introduced the following bill; which was referred to  
the Committee on Foreign Affairs

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## A BILL

To amend the Export Control Reform Act of 2018 to provide  
for control of remote access of items, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Remote Access Secu-  
5 rity Act”.

1 **SEC. 2. CONTROL OF REMOTE ACCESS OF ITEMS UNDER**  
2 **THE EXPORT CONTROL REFORM ACT OF 2018.**

3 The Export Control Reform Act of 2018 is amend-  
4 ed—

5 (1) in section 1742 (50 U.S.C. 4801), by add-  
6 ing at the end the following:

7 “(15) **REMOTE ACCESS.**—The term ‘remote ac-  
8 cess’ means access to an item that is subject to the  
9 jurisdiction of the United States (without regard to  
10 the physical location of the item) and included on  
11 the Commerce Control List set forth in Supplement  
12 No. 1 to part 774 of the Export Administration  
13 Regulations, by a foreign person through a network  
14 connection, including the internet or a cloud com-  
15 puting service, from a location other than where the  
16 item is physically located, to use the functions of the  
17 item if the use of those functions may pose a serious  
18 risk to the national security or foreign policy of the  
19 United States, such as by—

20 “(A) training an artificial intelligence  
21 model that could—

22 “(i) substantially lower the barrier of  
23 entry for experts or non-experts to design,  
24 synthesize, acquire, or use chemical, bio-  
25 logical, radiological, or nuclear weapons or  
26 weapons of mass destruction;

1 “(ii) enable offensive cyber operations  
2 through automated vulnerability discovery  
3 and exploitation against a wide range of  
4 potential targets of cyber attacks; or

5 “(iii) permit the evasion of human  
6 control or oversight of automated systems  
7 through means of deception or obfuscation;  
8 or

9 “(B) accessing a quantum computer that  
10 could enable offensive cyber operations or other  
11 risks to national security; or

12 “(C) accessing hacking tools.”;

13 (2) in section 1752 (50 U.S.C. 4811)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A), by inserting  
16 “or remote access” after “export”; and

17 (ii) in subparagraph (B), by inserting  
18 “or remote access” after “export”; and

19 (B) in paragraph (2)—

20 (i) in the matter preceding subpara-  
21 graph (A), by striking “and in-country  
22 transfer of items” and inserting “in-coun-  
23 try transfer, and remote access of items”;  
24 and

25 (ii) in subparagraph (A)—

1 (I) in the matter preceding clause  
2 (i), by striking “release” and inserting  
3 “release or remote access”;

4 (II) in clause (iv), by striking “;  
5 or” and inserting a semicolon;

6 (III) in clause (v), by striking the  
7 period at the end and inserting “; or”;  
8 and

9 (IV) by adding at the end the fol-  
10 lowing:

11 “(vi) offensive cyber operations.”;

12 (3) in section 1753 (50 U.S.C. 4812)—

13 (A) in subsection (a)—

14 (i) in paragraph (1), by striking  
15 “and” at the end;

16 (ii) in paragraph (2)(F), by striking  
17 the period at the end and inserting “;  
18 and”; and

19 (iii) by adding at the end the fol-  
20 lowing:

21 “(3) the remote access to—

22 “(A) items subject to the jurisdiction of  
23 the United States (without regard to the phys-  
24 ical location of the items) that are determined  
25 by the President to warrant controls with re-

1 spect to access by foreign persons or countries  
2 of concern; and

3 “(B) the functions of such items.”;

4 (B) in subsection (b)—

5 (i) by redesignating paragraphs (3)  
6 through (7) as paragraphs (4) through (8),  
7 respectively; and

8 (ii) by inserting after paragraph (2)  
9 the following:

10 “(3) regulate the remote access by foreign per-  
11 sons of items as described in subsection (a)(3);”;

12 and

13 (C) in subsection (c)—

14 (i) by striking “or in-country trans-  
15 fer” each place it appears and inserting  
16 “in-country transfer, or remote access”;

17 and

18 (ii) by striking “subsections (b)(1) or  
19 (b)(2)” and inserting “subsections (b)(1),  
20 (b)(2), or (b)(3)”;

21 (4) in section 1754 (50 U.S.C. 4813)—

22 (A) in subsection (a)—

23 (i) in paragraph (3), by striking “and  
24 in-country transfers” and inserting “in-  
25 country transfers, and remote access”;

1 (ii) in paragraph (4), by striking “and  
2 in-country transfers” and inserting “in-  
3 country transfers, and remote access”;

4 (iii) in paragraph (5), by striking  
5 “and in-country transfers” and inserting  
6 “in-country transfers, and remote access”;

7 (iv) in paragraph (10), by striking “or  
8 in-country transferred” and inserting “in-  
9 country transferred, or remotely accessed”;

10 (v) in paragraph (11), by adding at  
11 the end before the semicolon the following:  
12 “or remote access”; and

13 (vi) in paragraph (15), by adding at  
14 the end before “; and” the following: “or  
15 remotely access (including the provision  
16 thereof)”;

17 (B) in subsection (b), by striking “or in-  
18 country transfer” and inserting “in-country  
19 transfer, or remote access”; and

20 (C) in subsection (d)(1), by amending sub-  
21 paragraph (A) to read as follows:

22 “(A) the export, reexport, or in-country  
23 transfer of, or remote access to, items described  
24 in paragraph (2), or remote access to items de-  
25 scribed in section 1742(15), including, in both

1 cases, items that are not subject to control  
2 under this part; and”.

3 (5) in section 1755(b)(2) (50 U.S.C.  
4 4814(b)(2))—

5 (A) in subparagraph (C), by striking “and  
6 in-country transfers” and inserting “in-country  
7 transfers, and remote access”; and

8 (B) in subparagraph (E), by striking “and  
9 in-country transfers” and inserting “in-country  
10 transfers, and remote access”; and

11 (6) in section 1756 (50 U.S.C. 4815)—

12 (A) in subsection (a), in the matter pre-  
13 ceding paragraph (1), by striking “and in-coun-  
14 try transfer” and inserting “in-country trans-  
15 fer, and remote access”; and

16 (B) in subsection (b), by striking “or in-  
17 country transfer” and inserting “in-country  
18 transfer, or remote access”;

19 (7) in section 1757(a) (50 U.S.C. 4816(a)), by  
20 striking “or in-country transfer” and inserting “in-  
21 country transfer, or remote access”; and

22 (8) in section 1760 (50 U.S.C. 4819)—

23 (A) in subsection (a)(2)(F)(iii), by striking  
24 “or in-country transfer” and inserting “in-coun-  
25 try transfer, or remote access”;

1 (B) in subsection (e)(1)(C), by striking “or  
2 in-country transfer” and inserting “in-country  
3 transfer, or remotely access (including the pro-  
4 vision thereof)”; and

5 (C) in subsection (e)(1)(A)—

6 (i) in clause (i), by striking “or in-  
7 country transfer outside the United States  
8 any item” and inserting “in-country trans-  
9 fer outside the United States any item, or  
10 remotely access any item”; and

11 (ii) in clause (ii), by striking “or in-  
12 country transfer” and inserting “in-coun-  
13 try transfer, or remote access”;

14 (9) in section 1761 (50 U.S.C. 4820)—

15 (A) in subsection (a)(5), by striking “or in-  
16 country transferred” and inserting “in-country  
17 transferred, or remotely accessed”;

18 (B) in subsection (d)(2), by striking “ex-  
19 port” each place it appears and inserting “ex-  
20 port control”; and

21 (C) in subsection (h)(1)(B), by striking “or  
22 in-country transfer” and inserting “in-country  
23 transfer, or remotely access”; and

24 (10) in section 1767 (50 U.S.C. 4825)—



1 (A) in subsection (a), by striking “or reex-  
2 port” and inserting “reexport, or remote ac-  
3 cess”; and

4 (B) in subsection (b)(2)—

5 (i) in subparagraph (A), by striking  
6 “and in-country transfer” and inserting  
7 “in-country transfer, and remote access”;  
8 and

9 (ii) in subparagraph (C), by striking  
10 “or in-country transferred” and inserting  
11 “in-country transferred, or remotely  
12 accessed”.