

Union Calendar No. 291

116TH CONGRESS
2^D SESSION

H. R. 4500

[Report No. 116–367, Part I]

To direct the Assistant Secretary for Communications and Information to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2019

Mr. WALBERG (for himself, Mrs. DINGELL, and Mrs. BROOKS of Indiana) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JANUARY 7, 2020

Additional sponsors: Ms. CLARKE of New York and Mr. TAYLOR

JANUARY 7, 2020

Reported from the Committee on Energy and Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JANUARY 7, 2020

Committee on Foreign Affairs discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 26, 2019]

A BILL

To direct the Assistant Secretary for Communications and Information to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies, 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 “Promoting United States*
5 *Wireless Leadership Act of 2019”.*

6 **SEC. 2. REPRESENTATION AND LEADERSHIP OF UNITED**
7 **STATES IN COMMUNICATIONS STANDARDS-**
8 **SETTING BODIES.**

9 *(a) IN GENERAL.—In order to enhance the representa-*
10 *tion of the United States and promote United States leader-*
11 *ship in standards-setting bodies that set standards for 5G*
12 *networks and for future generations of wireless communica-*
13 *tions networks, the Assistant Secretary shall, in consulta-*
14 *tion with the National Institute of Standards and Tech-*
15 *nology, coordinate executive branch efforts to—*

16 *(1) equitably encourage participation by compa-*
17 *nies and a wide variety of relevant stakeholders, but*
18 *not including any company or relevant stakeholder*
19 *that the Assistant Secretary has determined to be not*
20 *trusted, (to the extent such standards-setting bodies*
21 *allow such stakeholders to participate) in such stand-*
22 *ards-setting bodies; and*

23 *(2) equitably offer technical expertise to compa-*
24 *nies and a wide variety of relevant stakeholders, but*
25 *not including any company or relevant stakeholder*

1 *that the Assistant Secretary has determined to be not*
2 *trusted, (to the extent such standards-setting bodies*
3 *allow such stakeholders to participate) to facilitate*
4 *such participation.*

5 *(b) STANDARDS-SETTING BODIES.—The standards-set-*
6 *ting bodies referred to in subsection (a) include, but are*
7 *not limited to—*

8 *(1) the International Organization for Standard-*
9 *ization;*

10 *(2) the voluntary standards-setting bodies that*
11 *develop protocols for wireless devices and other equip-*
12 *ment, such as the 3GPP and the Institute of Elec-*
13 *trical and Electronics Engineers; and*

14 *(3) any standards-setting body accredited by the*
15 *American National Standards Institute or Alliance*
16 *for Telecommunications Industry Solutions.*

17 *(c) BRIEFING.—Not later than 60 days after the date*
18 *of the enactment of this Act, the Assistant Secretary shall*
19 *brief the Committee on Energy and Commerce of the House*
20 *of Representatives and the Committee on Commerce,*
21 *Science, and Transportation of the Senate on a strategy*
22 *to carry out subsection (a).*

23 *(d) DEFINITIONS.—In this section:*

24 *(1) 3GPP.—The term “3GPP” means the 3rd*
25 *Generation Partnership Project.*

1 (2) *5G NETWORK.*—*The term “5G network”*
2 *means a fifth-generation mobile network as described*
3 *by 3GPP Release 15 or higher.*

4 (3) *ASSISTANT SECRETARY.*—*The term “Assist-*
5 *ant Secretary” means the Assistant Secretary of Com-*
6 *merce for Communications and Information.*

7 (4) *CLOUD COMPUTING.*—*The term “cloud com-*
8 *puting” has the meaning given the term in Special*
9 *Publication 800–145 of the National Institute of*
10 *Standards and Technology, entitled “The NIST Defi-*
11 *nition of Cloud Computing”, published in September*
12 *2011, or any successor publication.*

13 (5) *COMMUNICATIONS NETWORK.*—*The term*
14 *“communications network” means any of the fol-*
15 *lowing:*

16 (A) *A system enabling the transmission, be-*
17 *tween or among points specified by the user, of*
18 *information of the user’s choosing.*

19 (B) *Cloud computing resources.*

20 (C) *A network or system used to access*
21 *cloud computing resources.*

22 (6) *NOT TRUSTED.*—*The term “not trusted”*
23 *means, with respect to a company or stakeholder, that*
24 *the company or stakeholder is determined by the As-*
25 *stant Secretary to pose a threat to the national se-*

1 *curity of the United States. In making such a deter-*
2 *mination, the Assistant Secretary shall rely solely on*
3 *one or more of the following determinations:*

4 (A) *A specific determination made by any*
5 *executive branch interagency body with appro-*
6 *priate national security expertise, including the*
7 *Federal Acquisition Security Council established*
8 *under section 1322(a) of title 41, United States*
9 *Code.*

10 (B) *A specific determination made by the*
11 *Department of Commerce pursuant to Executive*
12 *Order 13873 (84 Fed. Reg. 22689; relating to se-*
13 *curing the information and communications*
14 *technology and services supply chain).*

15 (C) *Whether a company or stakeholder pro-*
16 *duces or provides covered telecommunications*
17 *equipment or services, as defined in section*
18 *889(f)(3) of the John S. McCain National De-*
19 *fense Authorization Act for Fiscal Year 2019*
20 *(Public Law 115–232; 132 Stat. 1918).*

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