

117TH CONGRESS
1ST SESSION

H. R. 3919

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2021

Received

AN ACT

To ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Secure Equipment Act
3 of 2021”.

4 **SEC. 2. UPDATES TO EQUIPMENT AUTHORIZATION PROC-**
5 **CESS OF FEDERAL COMMUNICATIONS COM-**
6 **MISSION.**

7 (a) RULEMAKING.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of the enactment of this Act, the Commis-
10 sion shall adopt rules in the proceeding initiated in
11 the Notice of Proposed Rulemaking in the matter of
12 Protecting Against National Security Threats to the
13 Communications Supply Chain through the Equip-
14 ment Authorization Program (ET Docket No. 21–
15 232; FCC 21–73; adopted June 17, 2021), in ac-
16 cordance with paragraph (2), to update the equip-
17 ment authorization procedures of the Commission.

18 (2) UPDATES REQUIRED.—In the rules adopted
19 under paragraph (1), the Commission shall clarify
20 that the Commission will no longer review or ap-
21 prove any application for equipment authorization
22 for equipment that is on the list of covered commu-
23 nications equipment or services published by the
24 Commission under section 2(a) of the Secure and
25 Trusted Communications Networks Act of 2019 (47
26 U.S.C. 1601(a)).

1 (3) APPLICABILITY.—

2 (A) IN GENERAL.—In the rules adopted
3 under paragraph (1), the Commission may not
4 provide for review or revocation of any equip-
5 ment authorization granted before the date on
6 which such rules are adopted on the basis of
7 the equipment being on the list described in
8 paragraph (2).

9 (B) RULE OF CONSTRUCTION.—Nothing in
10 this section may be construed to prohibit the
11 Commission, other than in the rules adopted
12 under paragraph (1), from—

13 (i) examining the necessity of review
14 or revocation of any equipment authoriza-
15 tion on the basis of the equipment being
16 on the list described in paragraph (2); or

17 (ii) adopting rules providing for any
18 such review or revocation.

19 (b) DEFINITION.—In this section, the term “Com-
20 mission” means the Federal Communications Commission.

Passed the House of Representatives October 20,
2021.

Attest:

CHERYL L. JOHNSON,

Clerk.