

117TH CONGRESS  
1ST SESSION

# H. R. 4046

To amend the National Telecommunications and Information Administration Organization Act to establish the Office of Policy Development and Cybersecurity, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. DUNCAN (for himself, Ms. WILD, and Mr. CURTIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the National Telecommunications and Information Administration Organization Act to establish the Office of Policy Development and Cybersecurity, 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 “NTIA Policy and Cy-  
5 bersecurity Coordination Act”.

6 **SEC. 2. POLICY DEVELOPMENT AND CYBERSECURITY.**

7 (a) OFFICE OF POLICY DEVELOPMENT AND CYBER-  
8 SECURITY.—Part A of title I of the National Tele-

1 communications and Information Administration Organi-  
2 zation Act (47 U.S.C. 901 et seq.) is amended by adding  
3 at the end the following:

4 **“SEC. 106. OFFICE OF POLICY DEVELOPMENT AND CYBER-**  
5 **SECURITY.**

6 “(a) ESTABLISHMENT.—There shall be within the  
7 NTIA an office to be known as the Office of Policy Devel-  
8 opment and Cybersecurity (in this section referred to as  
9 the ‘Office’).

10 “(b) ASSOCIATE ADMINISTRATOR.—The head of the  
11 Office shall be an Associate Administrator for Policy De-  
12 velopment and Cybersecurity (in this section referred to  
13 as the ‘Associate Administrator’), who shall report to the  
14 Assistant Secretary.

15 “(c) DUTIES.—

16 “(1) IN GENERAL.—The Associate Adminis-  
17 trator shall oversee and conduct national commu-  
18 nications and information policy analysis and devel-  
19 opment for the internet and communications tech-  
20 nologies.

21 “(2) PARTICULAR DUTIES.—In carrying out  
22 paragraph (1), the Office shall—

23 “(A) develop, analyze, and advocate for  
24 market-based policies that promote innovation,  
25 competition, consumer access, digital inclusion,

1 workforce development, and economic growth in  
2 the communications, media, and technology  
3 markets;

4 “(B) issue studies, as delegated by the As-  
5 sistant Secretary or required by Congress, on  
6 how individuals in the United States access and  
7 use the internet, wireline and wireless teleph-  
8 ony, mass media, other digital services, and  
9 video services;

10 “(C) coordinate transparent, consensus-  
11 based, multistakeholder processes to create  
12 guidance or to support the development and im-  
13 plementation of cybersecurity and privacy poli-  
14 cies with respect to the internet and other com-  
15 munications networks;

16 “(D) promote increased collaboration be-  
17 tween security researchers and providers of  
18 communications services and software system  
19 developers;

20 “(E) perform such duties as the Assistant  
21 Secretary considers appropriate relating to the  
22 program for preventing future vulnerabilities es-  
23 tablished under section 8(a) of the Secure and  
24 Trusted Communications Networks Act of 2019  
25 (47 U.S.C. 1607(a));

1           “(F) advocate for policies that promote the  
2 security and resilience to cybersecurity incidents  
3 of communications networks while fostering in-  
4 novation, including policies that promote secure  
5 communications network supply chains;

6           “(G) at the direction of the Assistant Sec-  
7 retary, present security of the digital economy  
8 and infrastructure and cybersecurity policy ef-  
9 forts before the Commission, Congress, and  
10 elsewhere;

11           “(H) provide advice and assistance to the  
12 Assistant Secretary in carrying out the policy  
13 responsibilities of the NTIA with respect to cy-  
14 bersecurity policy matters, including the evalua-  
15 tion of the domestic impact of cybersecurity  
16 matters pending before the Commission, other  
17 Federal agencies, and Congress;

18           “(I) in addition to the duties described in  
19 subparagraph (H), perform such other duties  
20 regarding the policy responsibilities of the  
21 NTIA with respect to cybersecurity policy mat-  
22 ters as the Assistant Secretary considers appro-  
23 priate;

24           “(J) develop policies to accelerate innova-  
25 tion and commercialization with respect to ad-

1 vances in technological understanding of com-  
2 munications technologies;

3 “(K) identify barriers to trust, security, in-  
4 novation, and commercialization with respect to  
5 communications technologies, including access  
6 to capital and other resources, and ways to  
7 overcome such barriers;

8 “(L) provide public access to relevant data,  
9 research, and technical assistance on innovation  
10 and commercialization with respect to commu-  
11 nications technologies, consistent with the pro-  
12 tection of classified information; and

13 “(M) strengthen collaboration on and co-  
14 ordination of policies relating to innovation and  
15 commercialization with respect to communica-  
16 tions technologies, including policies focused on  
17 the needs of small businesses and rural commu-  
18 nities—

19 “(i) within the Department of Com-  
20 merce; and

21 “(ii) between the Department of Com-  
22 merce and State government agencies, as  
23 appropriate.”.

24 (b) TRANSITIONAL RULES.—

1           (1) REDESIGNATION OF ASSOCIATE ADMINIS-  
2 TRATOR; CONTINUATION OF SERVICE.—

3           (A) REDESIGNATION.—The position of As-  
4 sociate Administrator for Policy Analysis and  
5 Development at the NTIA is hereby redesign-  
6 dated as the position of Associate Adminis-  
7 trator for Policy Development and Cybersecu-  
8 rity.

9           (B) CONTINUATION OF SERVICE.—The in-  
10 dividual serving as Associate Administrator for  
11 Policy Analysis and Development at the NTIA  
12 on the date of the enactment of this Act shall  
13 become, as of such date, the Associate Adminis-  
14 trator for Policy Development and Cybersecu-  
15 rity.

16           (2) NTIA DEFINED.—In this subsection, the  
17 term “NTIA” means the National Telecommuni-  
18 cations and Information Administration.

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