

Union Calendar No. 105

117TH CONGRESS
1ST SESSION

H. R. 4067

[Report No. 117-145]

To direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Ms. SLOTKIN (for herself, Mr. WALBERG, and Mr. SCHRADER) introduced the following bill; which was referred to the Committee on Energy and Commerce

OCTOBER 15, 2021

Additional sponsors: Ms. ESHOO, Mr. MCNERNEY, Mr. SOTO

OCTOBER 15, 2021

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on June 22, 2021]

A BILL

To direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, 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 “Communications Secu-*
5 *rity, Reliability, and Interoperability Council Act”.*

6 **SEC. 2. COUNCIL ON COMMUNICATIONS SECURITY, RELI-**
7 **ABILITY, AND INTEROPERABILITY.**

8 (a) *ESTABLISHMENT.*—*Not later than 90 days after*
9 *the date of the enactment of this Act, the Commission shall*
10 *establish a council, to advise the Commission on issues in-*
11 *cluding the security, reliability, and interoperability of*
12 *communications networks.*

13 (b) *MEMBERSHIP.*—

14 (1) *APPOINTMENT.*—*The members of the council*
15 *shall be appointed by the Chair.*

16 (2) *COMPOSITION.*—*To the extent practicable, the*
17 *membership of the council shall be composed of the*
18 *following:*

19 (A) *Representatives of companies in the*
20 *communications industry, except companies that*
21 *are determined by the Chair to be not trusted.*

22 (B) *Representatives of public interest orga-*
23 *nizations or academic institutions, except public*
24 *interest organizations or academic institutions*

1 that are determined by the Chair to be not trust-
2 ed.

3 (C) *Representatives of the Federal Govern-*
4 *ment, State governments, local governments, or*
5 *Tribal Governments, with at least one member*
6 *representing each such type of government.*

7 (3) *KNOWLEDGE AND EXPERIENCE.—Each mem-*
8 *ber of the council shall have knowledge and experience*
9 *relevant to the purpose and goals of the council.*

10 (4) *TERMS.—*

11 (A) *IN GENERAL.—Each member of the*
12 *council shall be appointed for a term of 2 years,*
13 *except as provided in subparagraph (B).*

14 (B) *VACANCIES.—Any member appointed to*
15 *fill a vacancy occurring before the expiration of*
16 *the term for which the member's predecessor was*
17 *appointed shall be appointed only for the re-*
18 *mainder of that term. A member may serve after*
19 *the expiration of that member's term until a suc-*
20 *cessor has taken office.*

21 (c) *REPORTS.—*

22 (1) *IN GENERAL.—Not later than 2 years after*
23 *the date on which the council is established under sub-*
24 *section (a), and every 2 years thereafter, the council*
25 *shall submit to the Chair each report adopted by the*

1 *council during the preceding 2-year period, and any*
2 *report adopted by any working group of the council*
3 *during such period, including any such report of the*
4 *council or a working group containing recommenda-*
5 *tions on ways to increase the security, reliability, and*
6 *interoperability of communications networks, and on*
7 *other relevant issues as appropriate.*

8 (2) *AVAILABILITY ON COMMISSION WEBSITE.—*

9 *The Commission shall make each report submitted*
10 *under paragraph (1) publicly available on the website*
11 *of the Commission.*

12 (d) *DURATION.—Section 14(a)(2)(B) of the Federal*
13 *Advisory Committee Act (5 U.S.C. App.; relating to the ter-*
14 *mination of advisory committees) shall not apply to the*
15 *council.*

16 (e) *DEFINITIONS.—In this section:*

17 (1) *CHAIR.—The term “Chair” means the Chair*
18 *of the Commission.*

19 (2) *COMMISSION.—The term “Commission”*
20 *means the Federal Communications Commission.*

21 (3) *COUNCIL.—The term “council” means the*
22 *council established under subsection (a).*

23 (4) *NOT TRUSTED.—*

24 (A) *IN GENERAL.—The term “not trusted”*
25 *means, with respect to an entity, that—*

1 (i) the Chair has made a public deter-
2 mination that such entity is owned by, con-
3 trolled by, or subject to the influence of a
4 foreign adversary; or

5 (ii) the Chair otherwise determines
6 that such entity poses a threat to the na-
7 tional security of the United States.

8 (B) *CRITERIA FOR DETERMINATION.*—In
9 making a determination under subparagraph
10 (A)(ii), the Chair shall use the criteria described
11 in paragraphs (1) through (4) of section 2(c) of
12 the Secure and Trusted Communications Net-
13 works Act of 2019 (47 U.S.C. 1601(c)), as appro-
14 priate.

15 (5) *STATE.*—The term “State” has the meaning
16 given such term in section 3 of the Communications
17 Act of 1934 (47 U.S.C. 153).

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