

PROMOTING UNITED STATES WIRELESS LEADERSHIP ACT
OF 2023

DECEMBER 11, 2024.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mrs. RODGERS of Washington, from the Committee on Energy and
Commerce, submitted the following

R E P O R T

[To accompany H.R. 1377]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 1377) to direct the Assistant Secretary of Commerce 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, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 1377, the “Promoting United States Wireless Leadership Act of 2023” would direct the Assistant Secretary for Communica-

tions and Information for the Department of Commerce to take certain actions to enhance the representation of trusted companies and other stakeholders as well as promote U.S. leadership in communications standards-setting bodies.

BACKGROUND AND NEED FOR LEGISLATION

As technology advances and new technology is developed, independent, business-led entities, have generally worked together to develop standards that guide how such technology is implemented. These independent, business-led entities develop the standards for advanced wireless technologies, including 5G, from which operators, equipment manufacturers, software providers, and others use to build the relevant equipment to deploy these technologies to consumers. In establishing the relevant standards, these technical discussions also contemplate the intended purposes of the technologies to ensure they are not used for malicious purposes. The United States sends representatives to standards-setting bodies such as the International Organization for Standardization, the 3GPP and others to help set standards for new technologies so that they align with the United States' objectives and values.

Maintaining U.S. leadership is an ongoing struggle in 5G standards setting bodies as our foreign adversaries are aggressively attempting to thwart the standard-setting process through state funding and other forms of influence.¹ And as 5G and future technologies are designed and deployed, it is essential that the United States and allied countries maintain a strong influence in the development of standards that guide the implementation of these technologies. To this end, H.R. 1377 reaffirms Congress's desire to strengthen U.S. leadership in the global standards setting arena for advanced wireless technologies.

COMMITTEE ACTION

The Subcommittee on Communications and Technology held a legislative hearing on September 27, 2019, entitled "Legislating to Secure America's Wireless Future." The Subcommittee received testimony from:

- John Nettles, President, Pine Belt Wireless;
- Harold Feld, Senior Vice President, Public Knowledge;
- Dean Brenner, Senior Vice President, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; and
- Bobbie Stempfley, Managing Director, CERT Division Software Engineering Institute, Carnegie Mellon University.

On March 8, 2023, the Subcommittee on Communications and Technology met in open markup session and forwarded H.R. 1377, without amendment, to the full Committee by a record vote of 28 yeas and 0 nays.

On March 23, 2023, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 1377, without amendment, favorably reported to the House by a record vote of 50 yeas and 0 nays.

¹Valentina Pop, Sha Hua, and Daniel Michaels, *From Lightbulbs to 5G, China Battles West for Control of Vital Technology Standards*, Wall Street Journal (Feb. 8, 2021).

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record votes taken during the Committee consideration:

**COMMITTEE ON ENERGY AND COMMERCE
118TH CONGRESS
ROLL CALL VOTE # 12**

BILL: H.R. 1377, the Promoting U.S. Wireless Leadership Act

AMENDMENT: A motion by Mrs. Rodgers to order H.R. 1377 favorably reported to the House, without amendment (Final Passage).

DISPOSITION: **AGREED TO**, by a roll call vote of 50 yeas and 0 nays.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Rodgers	X			Rep. Pallone	X		
Rep. Burgess	X			Rep. Eshoo	X		
Rep. Latta	X			Rep. DeGette	X		
Rep. Guthrie	X			Rep. Schakowsky	X		
Rep. Griffith	X			Rep. Matsui	X		
Rep. Bilirakis	X			Rep. Castor	X		
Rep. Johnson	X			Rep. Sarbanes	X		
Rep. Bucshon				Rep. Tonko	X		
Rep. Hudson	X			Rep. Clarke	X		
Rep. Walberg	X			Rep. Cárdenas	X		
Rep. Carter	X			Rep. Ruiz	X		
Rep. Duncan	X			Rep. Peters	X		
Rep. Palmer	X			Rep. Dingell	X		
Rep. Dunn	X			Rep. Veasey	X		
Rep. Curtis	X			Rep. Kuster	X		
Rep. Lesko	X			Rep. Kelly			
Rep. Pence	X			Rep. Barragán	X		
Rep. Crenshaw	X			Rep. Blunt Rochester	X		
Rep. Joyce	X			Rep. Soto	X		
Rep. Armstrong	X			Rep. Craig	X		
Rep. Weber	X			Rep. Schrier	X		
Rep. Allen	X			Rep. Trahan	X		
Rep. Balderson	X			Rep. Fletcher	X		
Rep. Fulcher	X						
Rep. Pfluger	X						
Rep. Harshbarger	X						
Rep. Miller-Meeks	X						
Rep. Cammack	X						
Rep. Obermolte	X						

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OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1377 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to require the Assistant Secretary of Commerce for Communications and Information, in coordination with National Institute of Standards and Technology, to encourage participation by trusted companies and other stakeholders in various standards-setting bodies.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1377 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following related hearing was held:

The Subcommittee on Communications and Technology held a legislative hearing on September 27, 2019, entitled “Legislating to Secure America’s Wireless Future.” The Subcommittee received testimony from:

- John Nettles, President, Pine Belt Wireless;
- Harold Feld, Senior Vice President, Public Knowledge;
- Dean Brenner, Senior Vice President, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; and
- Bobbie Stempfley, Managing Director, CERT Division Software Engineering Institute, Carnegie Mellon University.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1377 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section would designate that the short title may be cited as the “Promoting United States Wireless Leadership Act of 2023”.

Sec. 2. Representation and leadership of United States in communications standards-setting bodies

This section would require the Assistant Secretary of Commerce for Communications and Information (Assistant Secretary), in consultation with the National Institute of Standards and Technology (NIST), to coordinate executive branch efforts to equitably encourage participation by trusted companies and a wide variety of relevant stakeholders in standards-setting bodies that set standards for 5G networks and future generations of wireless communications networks. This section further requires the Assistant Secretary, in consultation with NIST, to equitably offer technical expertise to trusted companies and a wide variety of relevant stakeholders. Finally, this section requires the Assistant Secretary to brief the House Committees on Energy and Commerce and Foreign Affairs, as well as the Senate Committees on Commerce, Science, and Transportation and Foreign Relations within 60 days on their strategy to carry out these functions.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation does not amend any existing Federal statute.