119TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
119–175

NTIA POLICY AND CYBERSECURITY COORDINATION ACT

JUNE 30, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 1766]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 1766) to amend the National Telecommunications and Information Administration Organization Act to establish the Office of Policy Development and Cybersecurity, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

CONTENTS

PURPOSE AND SUMMARY

H.R. 1766, the "NTIA Policy and Cybersecurity Coordination Act," was introduced by Representative Jay Obernolte (R–CA) on

59–006

March 3, 2025. The bill establishes within the National Telecommunications and Information Administration (NTIA), the Office of Policy Development and Cybersecurity.

BACKGROUND AND NEED FOR LEGISLATION

NTIA is required by statute to coordinate the telecommunications activities of the executive branch and assist in the formulation of policies for those activities, including security.[1] Additionally, NTIA has the responsibility to ensure that the views of the executive branch on telecommunications matters are effectively presented to the Federal Communications Commission (FCC).[2] Given the recent cyberattacks on telecommunications networks, H.R. 1766 augments NTIA's role in conducting important policy coordination functions with respect to cybersecurity and provides additional clarity in carrying out existing and future activities consistent with NTIA's authority.

COMMITTEE ACTION

The Committee on Energy and Commerce held a hearing in the development of the legislation during the 119th Congress. On January 23, 2025, the Subcommittee on Communications and Technology held a hearing. The title of the hearing was "Strengthening American Leadership in Wireless Technology." The Subcommittee received testimony from the following witnesses:

- Michael K. Powell, President & CEO, NCTA—The Internet & Television Association;
- Brad Gillen, Executive Vice President, CTIA—The Wireless Association;
- Diane Rinaldo, Executive Director, Open RAN Policy Coalition; and
- Chris Lewis, President & CEO, Public Knowledge.

On March 4, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 1766, without amendment, favorably reported to the House by voice vote.

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. There were no record votes taken in connection with ordering H.R. 1766 reported.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

[1] 47 U.S.C. 902(b)(2)(H).
[2] 47 U.S.C. 902(b)(2)(J).

New Budget Authority, Entitlement Authority, and Tax Expenditures

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1766 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, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

At a Glance

Commerce and Consumer Regulatory Legislation

As ordered reported by the House Committee on Energy and Commerce on March 4, 2025

On March 4, 2025, the House Committee on Energy and Commerce ordered 10 bills to be reported. This document provides estimates for 8 of those bills. One bill, H.R. 1721, passed the House of Representatives on April 28, 2025.

CBO estimates that enacting each piece of legislation would increase spending subject to appropriation.

None of the legislation would affect direct spending or revenues; thus, pay-as-you-go procedures do not apply.

CBO estimates that none of the legislation would increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2036.

None of the legislation contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act. H.R. 1767 would impose private-sector mandates.

Bill	Net Increase or Decrease (-) in the Deficit Over the 2025-2035 Period (Millions of Dollars)	Changes in Spending Subject to Appropriation Over the 2025-2030 Period (Outlays, Millions of Dollars)	Mandate Effects?
H.R. 1455	0	4	No
H.R. 1679	0	2	No
H.R. 1721	0	1	No
H.R. 1737	0	1	No
H.R. 1765	0	9	No
H.R. 1766	0	*	No
H.R. 1767	0	3	Yes
H.R. 1770	0	2	No

* = between zero and $500,000.

Summary of legislation: On March 4, 2025, the House Committee on Energy and Commerce ordered 10 bills to be reported. This document provides estimates for 8 of those bills. One of the bills, H.R. 1721, was passed by the House of Representatives on April 28, 2025.

The legislation would:

- Codify some authorities and responsibilities at offices within the National Telecommunications and Information Administration (NTIA) and would require certain activities, including standardizing wireless communications networks;
- Require the Department of Commerce to report on the effect of imports on U.S. infrastructure, barriers to foreign trade faced by U.S. technology businesses, and the feasibility of a trans-Atlantic cable linked to specific countries; and

- Require the Consumer Product Safety Commission (CPSC) to establish a safety standard for retractable awnings, initiate a pilot program for using artificial intelligence, and report the findings to the Congress.

Estimated Federal cost: The costs of the legislation fall within budget functions 270 (energy) and 370 (commerce and housing credit).

Basis of estimate: For this estimate, CBO assumes that each piece of legislation will be enacted in fiscal year 2025 and that the estimated amounts will be available each year. CBO estimates that all eight pieces of legislation would affect spending subject to appropriation.

This cost estimate does not include any effects of interactions among the pieces of legislation. If all eight were combined and enacted as a single piece of legislation, the effects could be different from the sum of the separate estimates, but CBO expects that any differences would be small.

H.R. 1455, the ITS Codification Act, would codify the authority for and delineate the responsibilities of the Institute for Telecommunication Sciences (ITS), a research and engineering laboratory within the National Telecommunications and Information Administration. The bill also would require ITS to develop emergency communication and tracking technologies to locate people trapped in confined spaces, such as underground mines.

Using information from the NTIA about the cost of implementing the bill, CBO estimates that ITS would need four additional engineers and technicians, at an initial annual cost of about $160,000 each, with that amount increasing each year for anticipated inflation. Additionally, the institute would need to acquire simulation software licenses, pay for travel, and cover other miscellaneous expenses at an annual cost of about $100,000. Finally, ITS would need to make onetime equipment purchases of items such as a signal generator, a vector signal analyzer receiver, and a power amplifier for about $500,000 in 2026. On that basis, CBO estimates that implementing the bill would cost $4 million over the 2025–2030 period; any related spending would be subject to the availability of appropriated funds.

The bill also would require ITS to study radio frequency emissions, determine spectrum propagation characteristics, and test technologies that enhance spectrum sharing among federal and nonfederal entities, among other activities. Because ITS has similar responsibilities under current law, CBO estimates that implementing those requirements would have no additional cost.

H.R. 1679, the Global Investment in American Jobs Act of 2025, would require the Department of Commerce, the Government Accountability Office (GAO), and a federal interagency working group to study and report to the Congress on the ability of the United States to attract foreign direct investment and about barriers to foreign trade faced by advanced-technology firms in the United States.

Using information from the Department of Commerce, CBO expects that completing the study and report would require 10 economists and support staff, at an average cost of $190,000 each, for one year. On that basis, CBO estimates that implementing H.R. 1679 would cost $2 million in 2026. Based on the cost of similar activities, CBO estimates that the costs for GAO and the working group would be insignificant. Any related spending would be subject to the availability of appropriated funds.

H.R. 1721, the Critical Infrastructure Manufacturing Feasibility Act, would require the Department of Commerce to identify, within each critical infrastructure sector, high-demand products that are imported to the United States because of manufacturing, material, or supply chain constraints. The department would analyze the feasibility, costs, and benefits of producing such products in the United States and report the findings to the Congress.

Based on the cost of similar studies, CBO estimates that implementing H.R. 1721 would cost $1 million for the work of four employees in 2026, at a cost of about $220,000 each, along with the purchase of data and survey contracts. Any related spending would be subject to the availability of appropriated funds.

H.R. 1737, a bill to direct the Secretary of Commerce to submit to Congress a report containing an assessment of the value, cost, and feasibility of a trans-Atlantic submarine fiber optic cable connecting the contiguous United States, the United States Virgin Islands, Ghana, and Nigeria, would require the Secretary of Commerce, within one year of enactment, to report to the Congress on the cost, benefits, and feasibility, with respect to U.S. national security, of constructing such a fiber-optic cable.

Based on the cost of similar activities, CBO estimates that implementing the bill would cost $1 million over the 2025–2030 period; any related spending would be subject to the availability of appropriated funds.

H.R. 1765, the Promoting United States Wireless Leadership Act of 2025, would require the National Telecommunications and Information Administration to encourage trusted companies and standards-setting bodies to participate in setting standards for 5G and future generations of wireless communications networks. Under the bill, the NTIA would provide technical assistance to those entities to facilitate participation.

Using information from the NTIA, CBO expects that the agency would need eight employees, at an average annual salary of about $160,000 each, to meet the bill's requirements. After accounting for anticipated inflation, CBO estimates that salaries and additional expenses would cost $9 million over the 2025–2030 period. CBO estimates that having the National Institute of Standards and Technology facilitate industry participation in the international standard-setting process for 5G networks would cost an insignificant amount. Any related costs for both agencies would be subject to the availability of appropriated funds.

H.R. 1766, the NTIA Policy and Cybersecurity Coordination Act, would codify the duties currently undertaken by the Office of Policy Analysis and Development within the National Telecommunications and Information Administration and rename it the Office of Policy Development and Cybersecurity. Using information from the NTIA, CBO estimates that implementing H.R. 1766 would cost less than $500,000 over the 2025–2030 period; any related costs would be subject to the availability of appropriated funds.

H.R. 1767, the Awning Safety Act of 2025, would require the Consumer Product Safety Commission to issue a final safety standard on retractable awnings.

Using information from CPSC, CBO expects that the agency would need five full-time- equivalent employees for the first eighteen months after enactment, and two full-time employees annually thereafter, at an average cost of $200,000 per full-time employee to enforce the standard. After accounting for anticipated inflation, CBO estimates that implementing the bill would cost $3 million over the 2025–2030 period; any related spending would be subject to the availability of appropriated funds.

H.R. 1770, the Consumer Safety Technology Act, would require the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence and report its findings to the Congress. The bill also would direct the Department of Commerce, in consultation with the Federal Trade Commission (FTC), to study and report to the Congress on how blockchain technology may be used for consumer protection services.

Finally, the bill would require the FTC to report to the Congress on its efforts and on recommendations to prevent anticompetitive behavior involving tokens—transferable representations of information recorded on a blockchain or similar technology.

Using information from the agencies and the costs for similar activities, CBO estimates that implementing H.R. 1770 would cost $2 million over the 2025–2030 period; any related spending would be subject to the availability of appropriated funds.

Pay-As-You-Go considerations: None of the legislation would affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Increase in long-term net direct spending and deficits: None of the legislation would increase net direct spending or deficits in any of the four consecutive 10-year periods beginning in 2036.

Mandates: H.R. 1767 would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) by requiring awning manufacturers to comply with a prospective Consumer Product Safety Commission safety standard concerning fixed and freestanding retractable awnings. CBO expects that the standard may require awnings to be equipped with safety clips and to issue visual or audible alerts when in motion. Based on the cost of such additional equipment and the volume of covered awnings likely to be sold, CBO estimates that the cost of the mandate would not exceed the private-sector threshold established in UMRA ($206 million in 2025, adjusted annually for inflation).

H.R. 1767 contains no intergovernmental mandates as defined in UMRA.

None of the other pieces of legislation would impose private-sector or intergovernmental mandates as defined in UMRA.

Estimate prepared by: Federal costs: Zunara Naeem (National Telecommunications and Information Administration), Margot Berman (Department of Commerce), Cyrus Ekland (Consumer Product Safety Commission, Federal Trade Commission); Mandates: Rachel Austin, Andrew Laughlin.

Estimate reviewed by: Justin Humphrey, Chief, Finance, Housing, and Education Cost Estimates Unit; Sean Dunbar, Chief, Low-Income Health Programs and Prescription Drugs Cost Estimates Unit; Kathleen FitzGerald, Chief, Public and Private Mandates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Estimate approved by: Phillip L. Swagel, Director, Congressional Budget Office.

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 establish within the National Telecommunications and Information Administration the Office of Policy Development and Cybersecurity.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1766 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 hearings were held:

On January 23, 2025, the Subcommittee on Communications and Technology held a hearing. The title of the hearing was "Strengthening American Leadership in Wireless Technology." The Subcommittee received testimony from the following witnesses:

- Michael K. Powell, President & CEO, NCTA—The Internet & Television Association;
- Brad Gillen, Executive Vice President, CTIA—The Wireless Association;
- Diane Rinaldo, Executive Director, Open RAN Policy Coalition; and
- Chris Lewis, President & CEO, Public Knowledge.

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.

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. 1766 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

Section 1 designates that the short title may be cited as the "NTIA Policy and Cybersecurity Coordination Act."

Sec. 2. Policy Development and Cybersecurity

This section establishes the Office of Policy Development and Cybersecurity within the National Telecommunications and Information Administration. The Office is headed by an Associate Administrator who reports to the Assistant Secretary of Commerce for Communications and Information.

The Office will oversee and conduct national communications and information policy analysis with respect to the use of the Internet and other communications technologies. In particular, the Office will develop, analyze, and advocate for market-based policies that promote innovation and competition, among other matters. The Office will also coordinate transparent, consensus-based, multistakeholder processes to create guidance or support the development and implementation of cybersecurity and privacy policies with respect to the Internet and other communications networks. Additionally, the Office will be responsible for administering the program for preventing future vulnerabilities established under section 8(a) of the Secure and Trusted Communications Networks Act of 2019.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION ORGANIZATION ACT

TITLE I—NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

PART A—ORGANIZATION AND FUNCTIONS

* * * * * * *

SEC. 106. OFFICE OF POLICY DEVELOPMENT AND CYBERSECURITY.

(a) ESTABLISHMENT.—There shall be within the NTIA an office to be known as the Office of Policy Development and Cybersecurity (in this section referred to as the "Office").

(b) ASSOCIATE ADMINISTRATOR.—The head of the Office shall be an Associate Administrator for Policy Development and Cybersecurity (in this section referred to as the "Associate Administrator"), who shall report to the Assistant Secretary.

(c) DUTIES.—

(1) IN GENERAL.—The Associate Administrator shall oversee and conduct national communications and information policy analysis and development for the internet and communications technologies.

(2) PARTICULAR DUTIES.—In carrying out paragraph (1), the Associate Administrator shall—

(A) develop, analyze, and advocate for market-based policies that promote innovation, competition, consumer access, digital inclusion, workforce development, and economic growth in the communications, media, and technology markets;

(B) conduct studies, as delegated by the Assistant Secretary or required by Congress, on how individuals in the United States access and use the internet, wireline and wireless telephony, mass media, other digital services, and video services;

(C) coordinate transparent, consensus-based, multistakeholder processes to create guidance for and to support the development and implementation of cybersecurity and privacy policies with respect to the internet and other communications networks;

(D) promote increased collaboration between security researchers and providers of communications services and software system developers;

(E) perform such duties as the Assistant Secretary considers appropriate relating to the program for preventing future vulnerabilities established under section 8(a) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(a));

(F) advocate for policies that promote the security and resilience to cybersecurity incidents of communications networks while fostering innovation, including policies that promote secure communications network supply chains;

(G) at the direction of the Assistant Secretary, present security of the digital economy and infrastructure and cybersecurity policy efforts before the Commission, Congress, and elsewhere;

(H) provide advice and assistance to the Assistant Secretary in carrying out the policy responsibilities of the NTIA with respect to cybersecurity policy matters, including the evaluation of the impact of cybersecurity matters pending before the Commission, other Federal agencies, and Congress;

(I) in addition to the duties described in subparagraph (H), perform such other duties regarding the policy responsibilities of the NTIA with respect to cybersecurity policy matters as the Assistant Secretary considers appropriate;

(J) develop policies to accelerate innovation and commercialization with respect to advances in technological understanding of communications technologies;

(K) identify barriers to trust, security, innovation, and commercialization with respect to communications technologies, including access to capital and other resources, and ways to overcome such barriers;

(L) provide public access to relevant data, research, and technical assistance on innovation and commercialization with respect to communications technologies, consistent with the protection of classified information;

(M) strengthen collaboration on and coordination of policies relating to innovation and commercialization with respect to communications technologies, including policies focused on the needs of small businesses and rural communities—

(i) within the Department of Commerce;

(ii) between the Department of Commerce and State government agencies, as appropriate; and

(iii) between the Department of Commerce and the Commission or any other Federal agency the Assistant Secretary determines to be necessary; and

(N) solicit and consider feedback from small and rural communications service providers, as appropriate.

* * * * * * *

○