

116TH CONGRESS
2D SESSION

S. 3311

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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2020

Mr. JOHNSON (for himself and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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.

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 “Promoting United
5 States Wireless Leadership Act of 2020”.

1 **SEC. 2. REPRESENTATION AND LEADERSHIP OF UNITED**
2 **STATES IN COMMUNICATIONS STANDARDS-**
3 **SETTING BODIES.**

4 (a) DEFINITIONS.—In this section:

5 (1) 3GPP.—The term “3GPP” means the 3rd
6 Generation Partnership Project.

7 (2) 5G NETWORK.—The term “5G network”
8 means a fifth-generation mobile network as de-
9 scribed by 3GPP Release 15 or higher.

10 (3) ASSISTANT SECRETARY.—The term “Assist-
11 ant Secretary” means the Assistant Secretary of
12 Commerce for Communications and Information.

13 (4) CLOUD COMPUTING.—The term “cloud
14 computing” has the meaning given the term in Spe-
15 cial Publication 800–145 of the National Institute of
16 Standards and Technology, entitled “The NIST Def-
17 inition of Cloud Computing”, published in Sep-
18 tember 2011, or any successor publication.

19 (5) COMMUNICATIONS NETWORK.—The term
20 “communications network” means any of the fol-
21 lowing:

22 (A) A system enabling the transmission,
23 between or among points specified by the user,
24 of information of the user’s choosing.

25 (B) Cloud computing resources.

1 (C) A network or system used to access
2 cloud computing resources.

3 (6) NOT TRUSTED.—The term “not trusted”
4 means, with respect to a company or stakeholder,
5 that the company or stakeholder is determined by
6 the Assistant Secretary to pose a threat to the na-
7 tional security of the United States. In making such
8 a determination, the Assistant Secretary shall rely
9 solely on one or more of the following determina-
10 tions:

11 (A) A specific determination made by any
12 executive branch interagency body with appro-
13 priate national security expertise, including the
14 Federal Acquisition Security Council estab-
15 lished under section 1322(a) of title 41, United
16 States Code.

17 (B) A specific determination made by the
18 Department of Commerce pursuant to Execu-
19 tive Order No. 13873 (84 Fed. Reg. 22689; re-
20 lating to securing the information and commu-
21 nications technology and services supply chain).

22 (C) Whether a company or stakeholder
23 produces or provides covered telecommuni-
24 cations equipment or services, as defined in sec-
25 tion 889(f)(3) of the John S. McCain National

1 Defense Authorization Act for Fiscal Year 2019
2 (Public Law 115–232; 132 Stat. 1918).

3 (b) DUTIES OF ASSISTANT SECRETARY.—In order to
4 enhance the representation of the United States and pro-
5 mote United States leadership in standards-setting bodies
6 that set standards for 5G networks and for future genera-
7 tions of wireless communications networks, the Assistant
8 Secretary shall, in consultation with the National Institute
9 of Standards and Technology—

10 (1) equitably encourage participation by compa-
11 nies and a wide variety of relevant stakeholders, not
12 including any company or relevant stakeholder that
13 the Assistant Secretary has determined to be not
14 trusted, in such standards-setting bodies (to the ex-
15 tent such standards-setting bodies allow companies
16 and relevant stakeholders to participate); and

17 (2) equitably offer technical expertise to compa-
18 nies and a wide variety of relevant stakeholders, not
19 including any company or relevant stakeholder that
20 the Assistant Secretary has determined to be not
21 trusted, to facilitate such participation (to the extent
22 such standards-setting bodies allow companies and
23 relevant stakeholders to participate).

24 (c) STANDARDS-SETTING BODIES.—The standards-
25 setting bodies referred to in subsection (b) include—

1 (1) the International Organization for Stand-
2 ardization;

3 (2) the voluntary standards-setting bodies that
4 develop protocols for wireless devices and other
5 equipment, such as the 3GPP and the Institute of
6 Electrical and Electronics Engineers; and

7 (3) any standards-setting body accredited by
8 the American National Standards Institute or Alli-
9 ance for Telecommunications Industry Solutions.

10 (d) BRIEFING.—Not later than 60 days after the date
11 of the enactment of this Act, the Assistant Secretary shall
12 brief the Committee on Commerce, Science, and Transpor-
13 tation of the Senate and the Committee on Energy and
14 Commerce of the House of Representatives on a strategy
15 to carry out subsection (b).

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