To ensure that the Federal Communications Commission does not approve radio frequency devices that pose a national security risk.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Mr. Scalise (for himself and Ms. Eshoo) introduced the following bill; which was referred to the Committee on Energy and Commerce

OCTOBER 19, 2021

Additional sponsors: Ms. Tenney, Mr. Wittman, Mr. Allen, Mr. Buck, Mrs. Rice of Oklahoma, Mr. McNerney, Ms. Matsui, Mr. Welch, Mr. Veasey, Mr. Pence, Mr. Soto, Mr. Cardenas, Mr. Long, Mr. Case, Ms. Sherrill, Mr. Baird, Mr. Gallagher, Ms. Spanberger, Mr. Joyce of Ohio, Mr. Moulton, and Mr. Davidson

OCTOBER 19, 2021

Reported with amendments, 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 italic]

[For text of introduced bill, see copy of bill as introduced on June 15, 2021]
A BILL

To ensure that the Federal Communications Commission does not approve radio frequency devices that pose a national security risk.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Secure Equipment Act
of 2021”.

SEC. 2. UPDATES TO EQUIPMENT AUTHORIZATION PROC-
ESS OF FEDERAL COMMUNICATIONS COMMISS-
ION.

(a) Rulemaking.—

(1) In general.—Not later than 1 year after
the date of the enactment of this Act, the Commission
shall adopt rules in the proceeding initiated in the
Notice of Proposed Rulemaking in the matter of Pro-
tecting Against National Security Threats to the
Communications Supply Chain through the Equip-
ment Authorization Program (ET Docket No. 21–232;
FCC 21–73; adopted June 17, 2021), in accordance
with paragraph (2), to update the equipment author-
ization procedures of the Commission.

(2) Updates required.—In the rules adopted
under paragraph (1), the Commission shall clarify
that the Commission will no longer review or approve
any application for equipment authorization for
equipment that is on the list of covered communica-
tions equipment or services published by the Commis-

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sion under section 2(a) of the Secure and Trusted
Communications Networks Act of 2019 (47 U.S.C.
1601(a)).

(3) APPLICABILITY.—

(A) IN GENERAL.—In the rules adopted
under paragraph (1), the Commission may not
provide for review or revocation of any equip-
ment authorization granted before the date on
which such rules are adopted on the basis of the
equipment being on the list described in para-
graph (2).

(B) RULE OF CONSTRUCTION.—Nothing in
this section may be construed to prohibit the
Commission, other than in the rules adopted
under paragraph (1), from—

(i) examining the necessity of review or
revocation of any equipment authorization
on the basis of the equipment being on the
list described in paragraph (2); or

(ii) adopting rules providing for any
such review or revocation.

(b) DEFINITION.—In this section, the term “Commis-
sion” means the Federal Communications Commission.

Amend the title so as to read: “A bill to ensure that
the Federal Communications Commission prohibits au-
thorization of radio frequency devices that pose a national security risk.”.
To ensure that the Federal Communications Commission does not approve radio frequency devices that pose a national security risk.

A BILL

[Report No. 117-148]

H. R. 3919

117TH CONGRESS

Union Calendar No. 108