

need to update this entity list annually.

This bill is particularly important since we know our communications networks carry Americans' most sensitive personal and government data on a daily basis, so we must have a clear understanding if any foreign adversary countries or the companies operating within those countries are investors in our networks.

With this bill, we continue to secure our communications networks, protect Americans and their personal data, and help better protect our allies as they, too, rely on our global undersea cable network for broadband services.

I thank Representatives CASTOR, KHANNA, WITTMAN, and KEAN for their bipartisan work and leadership on this legislation. Mr. Speaker, I urge all of my colleagues to support H.R. 906, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WITTMAN), the sponsor of this bill.

Mr. WITTMAN. Mr. Speaker, I rise today in support of the Foreign Adversary Communications Transparency Act, known as the FACT Act. I introduced this bill in January, and I have been pleased to see it advance through committee and now onto the House floor.

First, I thank Chairman GUTHRIE, Chairman HUDSON, and the entire Energy and Commerce Committee for advancing this bill, and Leader SCALISE for bringing it to the floor today. Additionally, Representatives STEFANIK, KEAN, CASTOR, and KHANNA have been strong partners in garnering support for this legislation as cosponsors. I also thank my staff as well as those fellow cosponsors on the Energy and Commerce Committee and in leadership for their diligent work on this important bill.

I also applaud the administration for taking the CCP's threat to our national security seriously. Communist China is using every tool at its disposal to conduct a coordinated campaign to surveil and collect information on Americans. We should all be deeply concerned about that. China is not our friend.

China looks to defeat us both economically and strategically. This is one of many means that they are using to accomplish that. They are infiltrating our telecommunications networks and technology sectors for the sole purpose of doing harm to the United States and its friends. Despite this clear threat, far too many companies with ties to the CCP and other foreign adversaries still hold authorities to operate in the United States, often without the public's knowledge. That is absolutely unacceptable.

While companies like Huawei and ZTE are well known, others controlled by the CCP continue to fly under the radar. They are doing this purposely. They are creating entities that are third- and fourth-order separates from

these main organizations to be able to obfuscate those connections back to the CCP.

That is where the bipartisan FACT Act comes in. It would require the Federal Communications Commission to publish a list of these companies that hold FCC authorizations and have any ownership by foreign adversarial governments, including our adversaries like China, Russia, North Korea, and Iran.

This transparency is critical. Americans deserve to know which companies inside our tech and telecommunications markets are linked to hostile regimes. Shining a light on this malign influence is the first step toward a stronger action to defend our communications infrastructure and our national security.

We know what these threats are. We have seen them develop. We have seen them accelerate. We have seen what China's intent is. The FACT Act will mark real, bipartisan progress in achieving these efforts. It is a necessary step to protect Americans from surveillance and infiltration by foreign adversaries like the Chinese Communist Party.

I urge my colleagues to support this critical legislation, and I look forward to continuing to work together to defend American sovereignty and security.

Mrs. DINGELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida (Ms. CASTOR), a great leader on this issue.

Ms. CASTOR of Florida. Mr. Speaker, I thank Mrs. DINGELL for yielding the time, and I thank Chairman BILIRAKIS for moving the bill forward to the floor today.

I rise in strong support of H.R. 906, the Foreign Adversary Communications Transparency Act. This bill would require the Federal Communications Commission, the FCC, to publish a public list of entities with ties to foreign adversarial governments, such as China, Russia, North Korea, and Iran, especially if they have a license or authorization that is tied to our communications networks.

Along with Representative WITTMAN, I serve on the bipartisan Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party. Last Congress, the committee released a bipartisan report on maintaining America's economic and national security interests. The report found that the widespread adoption of certain People's Republic of China-developed technologies in the United States poses a significant risk to national security and threatens long-term U.S. technological competitiveness.

Our committee report recommended that we enact the FACT Act to shine a light on companies connected to foreign adversarial governments like the CCP and to ensure greater accountability and transparency in our critical communications networks.

Our bill passed the House unanimously by voice vote in the last Congress, but it didn't quite get over the finish line. We really have no more time to wait, Mr. Speaker. Our adversaries continue to target our communications systems, so Congress must take steps now to protect our communications, telecommunications infrastructure and strengthen our national security to keep Americans safe. I urge a "yes" vote on the bill.

Mr. BILIRAKIS. Mr. Speaker, I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, in closing, I strongly urge that my colleagues on both sides of the aisle support H.R. 906, the Foreign Adversary Communications Transparency Act for the security of our Nation. I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, in closing, I commend Representative WITTMAN and Representative CASTOR for their good work on this particular bill, and I urge passage. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FULCHER). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 906.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INFORMING CONSUMERS ABOUT SMART DEVICES ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 859) to require the disclosure of a camera or recording capability in certain internet-connected devices.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Informing Consumers about Smart Devices Act".

SEC. 2. REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.

Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

SEC. 3. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of section 2 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) ACTIONS BY THE COMMISSION.—

(1) IN GENERAL.—The Federal Trade Commission (in this Act referred to as the "Commission") shall enforce this Act in the same manner, by the same means, and with the

same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(2) **PENALTIES AND PRIVILEGES.**—Any person who violates this Act or a regulation promulgated under this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) **SAVINGS CLAUSE.**—Nothing in this Act shall be construed to limit the authority of the Commission under any other provision of law.

(c) **COMMISSION GUIDANCE.**—Not later than 180 days after the date of enactment of this Act, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this Act, including guidance about best practices for making the disclosure required by section 2 as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(d) **TAILORED GUIDANCE.**—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of section 2 consistent with existing rules of practice or any successor rules.

(e) **LIMITATION ON COMMISSION GUIDANCE.**—No guidance issued by the Commission with respect to this Act shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this Act, the Commission shall allege a specific violation of a provision of this Act. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate section 2.

SEC. 4. DEFINITION OF COVERED DEVICE.

As used in this Act, the term “covered device”—

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)) that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

SEC. 5. EFFECTIVE DATE.

This Act shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under section 3(c), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Michigan (Mrs. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

□ 1700

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD on this particular bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 859, the Informing Consumers About Smart Devices Act led by Representative FULCHER.

In recent years, we have witnessed remarkable advancements in consumer goods technologies. While these innovations certainly make daily life more convenient, they also carry the risk of collecting data from users, often without their knowledge.

It is clear to most people that devices like laptops have the capability to record sound and video. It may not be so obvious that other household devices such as televisions or refrigerators can do the same thing.

This bipartisan legislation seeks to address this gap by requiring manufacturers of internet-connected devices that contain a microphone or camera, but aren't marketed as consumer electronics, to disclose the presence of these components to consumers.

This is a very important bill. I commend the vice chairman of the Subcommittee on Commerce, Manufacturing, and Trade for sponsoring this particular bill.

Mr. Speaker, I urge unanimous support for H.R. 859, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 859, the Informing Consumers About Smart Devices Act.

Mr. Speaker, the Internet of Things has ushered in a new age of convenience and efficiency for Americans. Smart thermostats save consumers money by tracking and reporting home energy use and making recommendations about adjusting temperatures to meet consumers' needs. Smart refrigerators provide recipe suggestions based on the content of the refrigerators. Smart ovens scan food to automatically optimize the cooking process.

Every year, American consumers have more and more interconnected devices. Unfortunately, the convenience sometimes comes at a cost. Troubling reports have uncovered that some interconnected devices record images or audio without the users' awareness. Quite frankly, this happens more often than not. Sharing of that information with the device manufacturer or third parties is a real and serious threat to people's privacy.

To combat those threats, the Informing Consumers About Smart Devices

Act will require manufacturers of internet-connected devices to alert consumers when a device includes a camera or a microphone if a consumer would not reasonably expect it to do so. I think most consumers don't recognize or understand this.

While this bill addresses significant privacy concerns, it is also important that we recommit to adopting a bipartisan, comprehensive privacy framework that starts with data minimization and protects all Americans and provides heightened protections for our children nationwide.

I thank Representative MOULTON for his leadership on this issue and encourage my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I couldn't agree more. There is no question that this is definitely needed.

Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho (Mr. FULCHER), the vice chairman of the Subcommittee on Commerce, Manufacturing, and Trade under Energy and Commerce.

Mr. FULCHER. Mr. Speaker, I thank the good chairman of the Subcommittee on Commerce, Manufacturing, and Trade for yielding time.

Mr. Speaker, I rise today in support of H.R. 859, Informing Consumers About Smart Devices Act. This bill would require manufacturers of internet-connected so-called smart appliances to disclose to consumers prior to purchase when their product is equipped with a camera or microphone.

Manufacturers today produce appliances that connect to software applications that can be set, managed, and monitored through one's computing device. They are designed to capture voice commands from around the vicinity, recording information to adapt to the way individuals give commands. They are also often equipped with cameras to capture QR codes or other specific information particular to that appliance.

While the intention may strictly be for convenience, consumers need to be aware that private information may be captured by a smart appliance. We need to ensure proper disclosure and consumer awareness of these features.

It is also important to note that the bill's disclosure requirement only applies to appliances we wouldn't otherwise expect to be equipped with a camera or a microphone. For example, devices like mobile phones, laptops, and tablets would not have this requirement.

Put bluntly, our stoves or refrigerators shouldn't be secretly recording conversations in our homes. Such information could be accessed by a hacker or nefarious third party. Audio or video data of personally identifiable or confidential information could be stolen and/or used without the owner's knowledge. That could lead to scams or other kinds of harms.

People need to know all the functionalities of their appliances before bringing them home. This bill makes that possible.

Mr. Speaker, I thank my colleague, Representative SETH MOULTON, for co-leading this bipartisan effort. I urge support for this legislation.

Mrs. DINGELL. Mr. Speaker, I strongly recommend my colleagues on both sides of the aisle support H.R. 859, the Informing Consumers About Smart Devices Act, and protect Americans' privacy.

Mr. Speaker, I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I commend Representative FULCHER, the vice chairman of the subcommittee, and also Representative MOUTON for this really good bill.

Mr. Speaker, I urge unanimous passage, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WITTMAN). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 859.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BILIRAKIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NEWHOUSE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 973; and
S. 146.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, the remaining electronic vote will be conducted as a 5-minute vote.

SETTING CONSUMER STANDARDS FOR LITHIUM-ION BATTERIES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 973) to establish consumer standards for lithium-ion batteries, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 365, nays 42, not voting 25, as follows:

[Roll No. 103]

YEAS—365

Adams	Davis (NC)	Hern (OK)
Aderholt	Dean (PA)	Hill (AR)
Aguiar	DeGette	Himes
Alford	DeLauro	Hinson
Allen	DelBene	Horsford
Amo	Deluzio	Houchin
Amodei (NV)	DeSaulnier	Houlahan
Ansari	DesJarlais	Hoyer
Arrington	Dexter	Hoyle (OR)
Auchincloss	Diaz-Balart	Hudson
Babin	Dingell	Huffman
Bacon	Doggett	Huizenga
Baird	Downing	Hurd (CO)
Balderson	Dunn (FL)	Issa
Balint	Edwards	Ivey
Barr	Elfreth	Jack
Barragan	Ellzey	Jackson (IL)
Baumgartner	Emmer	Jacobs
Bean (FL)	Escobar	James
Beatty	Espallat	Jayapal
Begich	Estes	Jeffries
Bell	Evans (CO)	Johnson (GA)
Bera	Evans (PA)	Johnson (SD)
Bergman	Ezell	Johnson (TX)
Beyer	Fedorchak	Jordan
Bice	Feenstra	Joyce (OH)
Bilirakis	Fields	Joyce (PA)
Bishop	Figures	Kamlager-Dove
Boebert	Fine	Kaptur
Bonamici	Finstad	Kean
Bost	Fischbach	Keating
Boyle (PA)	Fitzgerald	Kelly (IL)
Bresnahan	Fitzpatrick	Kelly (MS)
Brown	Fleischmann	Kelly (PA)
Brownley	Fletcher	Kennedy (NY)
Buchanan	Flood	Khanna
Budzinski	Fong	Kiggans (VA)
Bynum	Foster	Kiley (CA)
Calvert	Foushee	Kim
Cammack	Foxx	Krishnamoorthi
Carbajal	Frankel, Lois	Kustoff
Carey	Franklin, Scott	LaHood
Carson	Friedman	LaLota
Carter (GA)	Frost	LaMalfa
Carter (LA)	Fry	Landsman
Carter (TX)	Garamendi	Langworthy
Casar	Garbarino	Larsen (WA)
Case	Garcia (CA)	Larson (CT)
Casten	Garcia (IL)	Latimer
Castor (FL)	Garcia (TX)	Latta
Castro (TX)	Gillen	Lawler
Cherfilus-	Gimenez	Lee (FL)
McCormick	Golden (ME)	Lee (NV)
Chu	Goldman (NY)	Lee (PA)
Cisneros	Goldman (TX)	Leger Fernandez
Clark (MA)	Gonzales, Tony	Letlow
Clarke (NY)	Gonzalez, V.	Levin
Cleaver	Goodlander	Liccardo
Clyburn	Graves	Lieu
Cole	Gray	Lofgren
Comer	Green (TN)	Loudermilk
Correa	Green, Al (TX)	Lucas
Costa	Griffith	Lynch
Courtney	Grothman	Mace
Craig	Guest	Mackenzie
Crawford	Guthrie	Malliotakis
Crenshaw	Hageman	Maloy
Crockett	Hamadeh (AZ)	Mann
Crow	Harder (CA)	Mannion
Cuellar	Haridopolos	Matsui
Davids (KS)	Harshbarger	McBath
Davis (IL)	Hayes	McBride

McClain	Pocan	Subramanyam
McClain Delaney	Pou	Suoizzi
McClellan	Pressley	Swalwell
McCollum	Quigley	Sykes
McDonald Rivet	Ramirez	Takano
McDowell	Randall	Taylor
McGarvey	Raskin	Tenney
McIver	Reschenthaler	Thanedar
Meeks	Riley (NY)	Thompson (CA)
Menendez	Rivas	Thompson (MS)
Meng	Rogers (AL)	Thompson (PA)
Meuser	Rogers (KY)	Timmons
Mfume	Rose	Titus
Miller (OH)	Ross	Tlaib
Miller (WV)	Rouzer	Tokuda
Miller-Meeks	Ruiz	Tonko
Min	Rutherford	Torres (CA)
Moolenaar	Ryan	Torres (NY)
Moore (NC)	Salinas	Trahan
Moore (UT)	Sánchez	Tran
Moore (WI)	Scalise	Turner (OH)
Moore (WV)	Scanlon	Underwood
Moran	Schakowsky	Valadao
Morelle	Schneider	Van Drew
Morrison	Scholten	Van Dyne
Moskowitz	Schrier	Van Orden
Moulton	Schweikert	Vasquez
Mrvan	Scott (VA)	Veasey
Murphy	Scott, Austin	Velázquez
Nadler	Scott, David	Vindman
Neal	Self	Wagner
Neguse	Sessions	Walberg
Nehls	Sewell	Wasserman
Newhouse	Sherman	Schultz
Nunn (IA)	Shreve	Waters
Oberholte	Simon	Watson Coleman
Ocasio-Cortez	Smith (MO)	Weber (TX)
Olzewski	Smith (NE)	Webster (FL)
Omar	Smith (NJ)	Westerman
Owens	Smith (WA)	Whitesides
Pallone	Smucker	Wied
Palmer	Sorensen	Williams (GA)
Panetta	Soto	Williams (TX)
Pappas	Stansbury	Wilson (FL)
Patronis	Stanton	Wilson (SC)
Pelosi	Stauber	Wittman
Perez	Stefanik	Womack
Peters	Stell	Yakym
Pettersen	Stevens	Zinke
Pfleger	Strickland	
Pingree	Stutzman	

NAYS—42

Barrett	Fulcher	Mast
Biggs (SC)	Gill (TX)	McClintock
Brecheen	Gooden	McCormick
Burchett	Greene (GA)	McGuire
Burlison	Harrigan	Miller (IL)
Cline	Harris (MD)	Mills
Cloud	Harris (NC)	Moore (AL)
Clyde	Higgins (LA)	Norman
Collins	Jackson (TX)	Perry
Crane	Kennedy (UT)	Roy
Crank	Knott	Schmidt
Davidson	Luna	Spartz
Donalds	Luttrell	Steube
Fallon	Massie	Tiffany

NOT VOTING—25

Bentz	Gottheimer	Onder
Biggs (AZ)	Hunt	Rulli
Ciscomani	Magaziner	Salazar
Cohen	McCaul	Sherrill
Conaway	McGovern	Simpson
Connolly	Messmer	Strong
De La Cruz	Mullin	Vargas
Gomez	Norcross	
Gosar	Ogles	

□ 1854

Mr. DAVIDSON, Mrs. MILLER of Illinois, Mr. MILLS, Mrs. SPARTZ, and Mr. JACKSON of Texas changed their vote from "yea" to "nay."

Messrs. CARSON and ROGERS of Alabama changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.