

(c) General provisions**(1) Regulations**

The Secretary and NTIA shall issue such regulations as may be necessary to carry out the functions assigned under this chapter.

(2) Support and assistance from other agencies

All executive agencies are authorized and directed to cooperate with the NTIA and to furnish it with such information, support, and assistance, not inconsistent with law, as it may require in the performance of its functions.

(3) Effect on vested functions

Nothing in this chapter reassigns any function that is, on October 27, 1992, vested by law or executive order in the Commission, or the Department of State, or any officer thereof.

(d) Reorganization**(1) Authority to reorganize**

Subject to paragraph (2), the Secretary may reassign to another unit of the Department of Commerce a function (or portion thereof) required to be assigned to the NTIA by section 902(b) of this title.

(2) Limitation on authority

The Secretary may not make any reassignment of a function (or portion thereof) required to be assigned to the NTIA by section 902(b) of this title unless the Secretary submits to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a statement describing the proposed reassignment and containing an explanation of the reasons for the reassignment. No reassignment of any such function (or portion thereof) shall be effective until 90 legislative days after the Secretary submits that statement to such Committees. For purposes of this paragraph, the term "legislative days" includes only days on which both Houses of Congress are in session.

(e) Limitation on solicitations

Notwithstanding section 1522 of title 15, neither the Secretary, the Assistant Secretary, nor any officer or employee of the NTIA shall solicit any gift or bequest of property, both real and personal, from any entity for the purpose of furthering the authorized functions of the NTIA if such solicitation would create a conflict of interest or an appearance of a conflict of interest. (Pub. L. 102-538, title I, §105, Oct. 27, 1992, 106 Stat. 3538.)

Editorial Notes

REFERENCES IN TEXT

Section 744(a) of this title, referred to in subsec. (a)(2), was repealed by Pub. L. 103-414, title III, §304(b)(4)(A), Oct. 25, 1994, 108 Stat. 4297.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21

of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by Congress, its duration is otherwise provided by law. See section 1013 of Title 5, Government Organization and Employees.

§ 905. Omitted**Editorial Notes**

CODIFICATION

Section, Pub. L. 95-567, title IV, §402, Nov. 2, 1978, 92 Stat. 2424, which required the National Telecommunications and Information Administration to submit an annual report to Congress on activities of the Administration with respect to domestic communications, international communications, Federal Government communications, spectrum plans and policies, and other matters, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, 1st item on page 55 of House Document No. 103-7.

§ 906. Wireless supply chain innovation and multilateral security**(a) Communications technology security funds****(1) Public Wireless Supply Chain Innovation Fund****(A) Establishment****(i) In general**

There is established in the Treasury of the United States a trust fund to be known as the "Public Wireless Supply Chain Innovation Fund" (referred to in this paragraph as the "Innovation Fund").

(ii) Availability**(I) In general**

Amounts appropriated to the Innovation Fund shall remain available through the end of the tenth fiscal year beginning after the date on which funds are appropriated to the Fund.

(II) Remainder to Treasury

Any amounts remaining in the Innovation Fund after the end of the tenth fiscal year beginning after the date of appropriation shall be deposited in the general fund of the Treasury.

(B) Use of Fund**(i) In general**

Amounts appropriated to the Innovation Fund shall be available to the Secretary, acting through the NTIA Administrator, to make grants on a competitive basis

under this paragraph in such amounts as the Secretary, acting through the NTIA Administrator, determines appropriate, subject to clause (ii).

(ii) Limitation on grant amounts

The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed \$50,000,000.

(C) Administration of Fund

The Secretary, acting through the NTIA Administrator, in consultation with the Commission, the Under Secretary of Commerce for Standards and Technology, the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish criteria for grants awarded under this paragraph, by the NTIA Administrator and administer the Innovation Fund, to support the following:

(i) Promoting and deploying technology, including software, hardware, and micro-processing technology, that will enhance competitiveness in the fifth-generation (commonly known as “5G”) and successor wireless technology supply chains that use open and interoperable interface radio access networks.

(ii) Accelerating commercial deployments of open interface standards-based compatible, interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the Open-RAN Software Community, or any successor organizations.

(iii) Promoting and deploying compatibility of new 5G equipment with future open standards-based, interoperable equipment.

(iv) Managing integration of multi-vendor network environments.

(v) Identifying objective criteria to define equipment as compliant with open standards for multi-vendor network equipment interoperability.

(vi) Promoting and deploying security features enhancing the integrity and availability of equipment in multi-vendor networks.

(vii) Promoting and deploying network function virtualization to facilitate multi-vendor interoperability and a more diverse vendor market.

(D) Nonduplication

To the greatest extent practicable, the Secretary, acting through the NTIA Administrator, shall ensure that any research funded by a grant awarded under this paragraph avoids duplication of other Federal or private sector research.

(E) Timing

Not later than one year after the date on which funds are appropriated to the Innovation Fund, the Secretary, acting through the

NTIA Administrator, shall begin awarding grants under this paragraph.

(F) Federal advisory body

(i) Establishment

The Secretary, acting through the NTIA Administrator, and in consultation with the Under Secretary of Commerce for Standards and Technology, shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.),¹ composed of government and private sector experts, to advise the Secretary and the NTIA Administrator on the administration of the Innovation Fund.

(ii) Composition

The advisory committee established under clause (i) shall be composed of—

(I) representatives from—

(aa) the Commission;

(bb) the Department of Defense;

(cc) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence;

(dd) the National Institute of Standards and Technology;

(ee) the Department of State;

(ff) the National Science Foundation;

(gg) the Department of Homeland Security; and

(hh) the National Telecommunications and Information Administration; and

(II) other representatives from the private and public sectors, at the discretion of the NTIA Administrator.

(iii) Duties

The advisory committee established under clause (i) shall advise the Secretary and the NTIA Administrator on technology developments to help inform—

(I) the strategic direction of the Innovation Fund; and

(II) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(G) Reports to Congress

(i) Initial report

Not later than 180 days after January 1, 2021, the Secretary, acting through the NTIA Administrator, shall submit to the relevant committees of Congress a report with—

(I) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(II) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of funds.

(ii) Annual report

For each fiscal year for which amounts in the Innovation Fund are available under

¹ See References in Text note below.

this paragraph, the Secretary, acting through the NTIA Administrator, shall submit to Congress a report that—

(I) describes how, and to whom (including whether recipients are majority owned and controlled by minority individuals and majority owned and controlled by women), amounts in the Innovation Fund have been deployed;

(II) details the progress of the Secretary and the NTIA Administrator in meeting the objectives described in subparagraph (C); and

(III) includes any additional information that the Secretary and the NTIA Administrator determine appropriate.

(2) Multilateral Telecommunications Security Fund

(A) Establishment of Fund

(i) In general

There is established in the Treasury of the United States a trust fund to be known as the “Multilateral Telecommunications Security Fund”.

(ii) Use of Fund

Amounts appropriated to the Multilateral Telecommunications Security Fund shall be available to the Secretary of State to make expenditures under this paragraph in such amounts as the Secretary of State determines appropriate.

(iii) Availability

(I) In general

Amounts appropriated to the Multilateral Telecommunications Security Fund—

(aa) shall remain available through the end of the tenth fiscal year beginning after the date of appropriation; and

(bb) may only be allocated upon the Secretary of State reaching an arrangement or agreement with foreign government partners to participate in the common funding mechanism described in subparagraph (B).

(II) Remainder to Treasury

Any amounts remaining in the Multilateral Telecommunications Security Fund after the end of the tenth fiscal year beginning after January 1, 2021 shall be deposited in the general fund of the Treasury.

(B) Administration of Fund

The Secretary of State, in consultation with the NTIA Administrator, the Secretary of Homeland Security, the Secretary of Defense, the Secretary of the Treasury, the Director of National Intelligence, and the Commission, is authorized to establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Multilateral Telecommunications Security Fund to support the development and adoption of secure and trusted telecommunications technologies. In creating and sustaining a common funding

mechanism, the Secretary of State should leverage United States funding in order to secure commitments and contributions from trusted foreign partners such as the United Kingdom, Canada, Australia, New Zealand, and Japan, and should prioritize the following objectives:

(i) Advancing research and development of secure and trusted communications technologies.

(ii) Strengthening supply chains.

(iii) Promoting the use of trusted vendors.

(C) Notifications to be provided by the Fund

(i) In general

Not later than 15 days prior to the Fund making a financial commitment associated with the provision of expenditures under subparagraph (A)(ii) in an amount in excess of \$1,000,000, the Secretary of State shall submit to the appropriate congressional committees a report in writing that contains the information required by clause (ii).

(ii) Information required

The information required by this clause includes—

(I) the amount of each such expenditure;

(II) an identification of the recipient or beneficiary; and

(III) a description of the project or activity and the purpose to be achieved of an expenditure by the Fund.

(iii) Arrangements or agreements

The Secretary of State shall notify the appropriate congressional committees not later than 30 days after entering into a new bilateral or multilateral arrangement or agreement described in subparagraph (A)(iii)(I)(bb).

(iv) Appropriate congressional committees defined

In this subparagraph, the term “appropriate congressional committees” means—

(I) the Committee on Foreign Relations of the Senate;

(II) the Committee on Appropriations of the Senate;

(III) the Committee on Foreign Affairs of the House of Representatives; and

(IV) the Committee on Appropriations of the House of Representatives.

(b) Promoting United States leadership in international organizations and communications standards-setting bodies

(1) In general

The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, or their designees, shall consider how to enhance representation of the United States at international forums that set standards for 5G networks and for future generations of wireless communications networks, including—

(A) the International Telecommunication Union (commonly known as “ITU”);

(B) the International Organization for Standardization (commonly known as “ISO”);

(C) the Inter-American Telecommunication Commission (commonly known as “CITEL”); and

(D) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3GPP and the Institute of Electrical and Electronics Engineers (commonly known as “IEEE”).

(2) Annual report

The Secretary of State, the Secretary of Commerce, and the Chairman of the Committees of Congress shall jointly submit to the relevant committees of Congress an annual report on the progress made under paragraph (1).

(c) Definitions

In this section:

(1) The term “3GPP” means the Third Generation Partnership Project.

(2) The term “5G network” means a radio network as described by 3GPP Release 15 or higher.

(3) The term “Commission” means the Federal Communications Commission.

(4) The term “NTIA Administrator” means the Assistant Secretary of Commerce for Communications and Information.

(5) The term “Open-RAN” means the Open Radio Access Network approach to standardization adopted by the O-RAN Alliance, Telecom Infra Project, or 3GPP, or any similar set of open standards for multi-vendor network equipment interoperability.

(6) The term “relevant committees of Congress” means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(7) The term “Secretary” means the Secretary of Commerce.

(Pub. L. 116–283, div. H, title XCII, §9202, Jan. 1, 2021, 134 Stat. 4788; Pub. L. 117–167, div. A, §105(b), Aug. 9, 2022, 136 Stat. 1392; Pub. L. 118–31, div. F, title LXVII, §6707(b)(1)(A), Dec. 22, 2023, 137 Stat. 1018.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (a)(1)(F)(i), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 10 (§1001 et seq.) of Title 5 by Pub. L. 117–286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4197, 4361. For disposition of sections of the Act into chapter 10 of Title 5, see Disposition Table preceding section 101 of Title 5.

CODIFICATION

Section was enacted as part of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 and not as part of the National Telecommunications and Information Administration Organization Act which comprises this chapter.

AMENDMENTS

2023—Subsec. (a)(2)(C), (D). Pub. L. 118–31 redesignated subpar. (D) as (C) and struck out former subpar. (C) which related to annual report to Congress.

2022—Subsec. (a)(1)(G)(ii)(I). Pub. L. 117–167 inserted “(including whether recipients are majority owned and controlled by minority individuals and majority owned and controlled by women)” after “to whom”.

SUBCHAPTER II—TRANSFER OF AUCTIONABLE FREQUENCIES

§ 921. Definitions

As used in this subchapter:

(1) The term “allocation” means an entry in the National Table of Frequency Allocations of a given frequency band for the purpose of its use by one or more radiocommunication services.

(2) The term “assignment” means an authorization given to a station licensee to use specific frequencies or channels.

(3) The term “the 1934 Act” means the Communications Act of 1934 (47 U.S.C. 151 et seq.).

(Pub. L. 102–538, title I, §111, as added Pub. L. 103–66, title VI, §6001(a)(3), Aug. 10, 1993, 107 Stat. 379.)

Editorial Notes

REFERENCES IN TEXT

The Communications Act of 1934, referred to in par. (3), is act June 19, 1934, ch. 652, 48 Stat. 1064, which is classified principally to chapter 5 (§151 et seq.) of this title. For complete classification of this Act to the Code, see section 609 of this title and Tables.

Statutory Notes and Related Subsidiaries

SPECTRUM AUCTIONS

Pub. L. 117–58, div. I, §90008(a), (b), Nov. 15, 2021, 135 Stat. 1348, 1349, provided that:

“(a) DEFINITIONS.—In this section:

“(1) COMMISSION.—The term ‘Commission’ means the Federal Communications Commission.

“(2) COVERED BAND.—The term ‘covered band’ means the band of frequencies between 3100 and 3450 megahertz.

“(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term ‘relevant congressional committees’ means—

“(A) the Committee on Armed Services of the Senate;

“(B) the Committee on Armed Services of the House of Representatives;

“(C) the Committee on Commerce, Science, and Transportation of the Senate; and