

Union Calendar No. 108

117TH CONGRESS
1ST SESSION

H. R. 3919

[Report No. 117-148]

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. BICE of Oklahoma, Mr. MCNERNEY, Ms. MATSUI, Mr. WELCH, Mr.
VEASEY, Mr. PENCE, Mr. SOTO, Mr. CÁRDENAS, Mr. LONG, Mr. CASE,
Ms. SHERRILL, Mr. BAIRD, Mr. GALLAGHER, and Ms. SPANBERGER

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.

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 “Secure Equipment Act*
 5 *of 2021”.*

6 **SEC. 2. UPDATES TO EQUIPMENT AUTHORIZATION PROC-**
 7 **ESS OF FEDERAL COMMUNICATIONS COMMIS-**
 8 **SION.**

9 *(a) RULEMAKING.—*

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

20 *(2) UPDATES REQUIRED.—In the rules adopted*
 21 *under paragraph (1), the Commission shall clarify*
 22 *that the Commission will no longer review or approve*
 23 *any application for equipment authorization for*
 24 *equipment that is on the list of covered communica-*
 25 *tions equipment or services published by the Commis-*

1 *sion under section 2(a) of the Secure and Trusted*
 2 *Communications Networks Act of 2019 (47 U.S.C.*
 3 *1601(a)).*

4 *(3) APPLICABILITY.—*

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

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

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

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

22 *(b) DEFINITION.—In this section, the term “Commis-*
 23 *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.”.

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