

Union Calendar No.

117TH CONGRESS
1ST SESSION

H. R. 4028

[Report No. 117-]

To require the Secretary of Commerce to report on and develop a whole-of-Government strategy with respect to the economic competitiveness of the information and communication technology supply chain, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. LONG (for himself, Mr. CARTER of Georgia, Ms. SPANBERGER, and Mr. MCNERNEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

AUGUST --, 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 *italie*]

[For text of introduced bill, see copy of bill as introduced on June 22, 2021]

A BILL

To require the Secretary of Commerce to report on and develop a whole-of-Government strategy with respect to the economic competitiveness of the information and communication technology supply chain, 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 “Information and Com-*
5 *munication Technology Strategy Act”.*

6 **SEC. 2. ECONOMIC COMPETITIVENESS OF INFORMATION**
7 **AND COMMUNICATION TECHNOLOGY SUPPLY**
8 **CHAIN.**

9 *(a) REPORT.—Not later than 1 year after the date of*
10 *the enactment of this Act, the Secretary shall submit to the*
11 *Committee on Energy and Commerce of the House of Rep-*
12 *resentatives and the Committee on Commerce, Science, and*
13 *Transportation of the Senate a report on the information*
14 *and communication technology supply chain that—*

15 *(1) identifies—*

16 *(A) information and communication tech-*
17 *nology critical to the economic competitiveness of*
18 *the United States; and*

19 *(B) the industrial capacity of—*

20 *(i) United States vendors that produce*
21 *information and communication technology*
22 *identified under subparagraph (A); and*

23 *(ii) trusted information and commu-*
24 *nication technology vendors that produce*

1 *information and communication technology*

2 *identified under subparagraph (A);*

3 *(2) assesses the economic competitiveness of ven-*
4 *dors described under paragraph (1)(B);*

5 *(3) assesses whether, and to what extent, there is*
6 *a dependence by providers of advanced telecommuni-*
7 *cations capability in the United States on informa-*
8 *tion and communication technology identified under*
9 *paragraph (1)(A) that is not trusted;*

10 *(4) identifies—*

11 *(A) what actions by the Federal Govern-*
12 *ment are needed to support, and bolster the eco-*
13 *nomics competitiveness of, trusted information*
14 *and communication technology vendors; and*

15 *(B) what Federal resources are needed to re-*
16 *duce dependence by providers of advanced tele-*
17 *communications capability in the United States*
18 *on companies that—*

19 *(i) produce information and commu-*
20 *nication technology; and*

21 *(ii) are not trusted; and*

22 *(5) defines lines of effort and assigns responsibil-*
23 *ities for a whole-of-Government response to ensuring*
24 *the competitiveness of the information and commu-*

1 *nication technology supply chain in the United*
2 *States.*

3 *(b) WHOLE-OF-GOVERNMENT STRATEGY.—*

4 *(1) IN GENERAL.—The Secretary shall develop,*
5 *on the basis of the report required by subsection (a),*
6 *a whole-of-Government strategy to ensure the eco-*
7 *nommic competitiveness of trusted information and*
8 *communication technology vendors that includes—*

9 *(A) recommendations on how—*

10 *(i) to strengthen the structure, re-*
11 *sources, and authorities of the Federal Gov-*
12 *ernment to support the economic competi-*
13 *tiveness of trusted information and commu-*
14 *nication technology vendors, including*
15 *United States vendors that are trusted in-*
16 *formation and communication technology*
17 *vendors; and*

18 *(ii) the Federal Government can ad-*
19 *dress any barriers to a market-based solu-*
20 *tion for increasing the economic competi-*
21 *tiveness of such information and commu-*
22 *nication technology vendors;*

23 *(B) defined lines of effort and responsibil-*
24 *ities for Federal agencies to implement the strat-*
25 *egy; and*

1 (C) a description of—

2 (i) any change to a Federal program,
3 Federal law, or structure of the Federal
4 Government necessary to implement any
5 recommendation under subparagraph (A);
6 and

7 (ii) any additional Federal resource
8 necessary to implement any recommenda-
9 tion under subparagraph (A).

10 (2) *REPORT.*—Not later than 180 days after the
11 submission of the report required by subsection (a),
12 the Secretary shall submit to the Committee on En-
13 ergy and Commerce of the House of Representatives
14 and the Committee on Commerce, Science, and Trans-
15 portation of the Senate a report containing the strat-
16 egy developed under paragraph (1).

17 (c) *CONSULTATION REQUIRED.*—In carrying out sub-
18 sections (a) and (b), the Secretary shall consult with—

19 (1) a cross-section of trusted information and
20 communication technology vendors; and

21 (2) the Secretary of State, the Secretary of
22 Homeland Security, the Attorney General, the Direc-
23 tor of National Intelligence, the Chair of the Federal
24 Communications Commission and any other head of
25 an agency the Secretary determines necessary.

1 (d) *DEFINITIONS.—In this section:*

2 (1) *ADVANCED TELECOMMUNICATIONS CAPA-*
3 *BILITY.—The term “advanced telecommunications ca-*
4 *pability” has the meaning given that term in section*
5 *706 of the Telecommunications Act of 1996 (47*
6 *U.S.C. 1302).*

7 (2) *INFORMATION AND COMMUNICATION TECH-*
8 *NOLOGY SUPPLY CHAIN.—The term “information and*
9 *communication technology supply chain” means all of*
10 *the companies that produce information and commu-*
11 *nication technology.*

12 (3) *INFORMATION AND COMMUNICATION TECH-*
13 *NOLOGY.—The term “information and communica-*
14 *tion technology” means a technology (including soft-*
15 *ware), component, or material that enables commu-*
16 *nications by radio or wire.*

17 (4) *NOT TRUSTED.—The term “not trusted”*
18 *means, with respect to a company or information and*
19 *communication technology, that the company or in-*
20 *formation and communication technology is deter-*
21 *mined by the Secretary to pose an unacceptable risk*
22 *to national security of the United States, or the secu-*
23 *rity and safety of the United States persons based*
24 *solely on one or more determination described under*
25 *paragraphs (1) through (4) of section 2(c) of the Se-*

1 *cure and Trusted Communications Networks Act of*
2 *2019 (Public Law 116–124).*

3 (5) *SECRETARY.*—*The term “Secretary” means*
4 *the Secretary of Commerce, acting through the Assist-*
5 *ant Secretary of Commerce for Communications and*
6 *Information.*

7 (6) *TRUSTED.*—*The term “trusted” means, with*
8 *respect to a company, that the Secretary has not de-*
9 *termined that the company is not trusted.*

10 (7) *TRUSTED INFORMATION AND COMMUNICATION*
11 *TECHNOLOGY VENDOR.*—*The term “trusted informa-*
12 *tion and communication technology vendor” means a*
13 *company—*

14 (A) *that produces information and commu-*
15 *nication technology; and*

16 (B) *that is trusted.*

Amend the title so as to read: “A bill to require the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information, to report on and develop a whole-of-Government strategy with respect to the economic competitiveness of the information and communication technology supply chain, and for other purposes.”.