

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3919**

OFFERED BY _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

**4 SEC. 2. UPDATES TO EQUIPMENT AUTHORIZATION PROC-
5 ESS OF FEDERAL COMMUNICATIONS COM-
6 MISSION.**

7 (a) RULEMAKING.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of the enactment of this Act, the Commis-
10 sion shall adopt rules in the proceeding initiated in
11 the Notice of Proposed Rulemaking in the matter of
12 Protecting Against National Security Threats to the
13 Communications Supply Chain through the Equip-
14 ment Authorization Program (ET Docket No. 21–
15 232; FCC 21–73; adopted June 17, 2021), in ac-
16 cordance with paragraph (2), to update the equip-
17 ment authorization procedures of the Commission.

1 (2) UPDATES REQUIRED.—In the rules adopted
2 under paragraph (1), the Commission shall clarify
3 that the Commission will no longer review or ap-
4 prove any application for equipment authorization
5 for equipment that is on the list of covered commu-
6 nications equipment or services published by the
7 Commission under section 2(a) of the Secure and
8 Trusted Communications Networks Act of 2019 (47
9 U.S.C. 1601(a)).

10 (3) APPLICABILITY.—

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

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

22 (i) examining the necessity of review
23 or revocation of any equipment authoriza-
24 tion on the basis of the equipment being
25 on the list described in paragraph (2); or

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

3 (b) DEFINITION.—In this section, the term “Com-
4 mission” means the Federal Communications Commission.

Amend the title so as to read: “A bill to ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.”.

