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6 MARKUP OF:

7 H.R. 4510 (LATTA), NTIA Reauthorization Act of 2023;

8 H.R. 3430 (MATSUI), Spectrum Relocation Enhancement Act;

9 H.R. 3385 (PLASKETT), Diaspora Link Act;

10 H.R. 3369 (HARDER), AI Accountability Act;

11 H.R. 4511 (CAMMACK), Public Safety Communications Act;

12 H.R. 4506 (JOHNSON), TEAM TELECOM Act;

13 H.R. 4512 (PFLUGER), Digital Economy Cybersecurity Advisory
14 Act;

15 H.R. 4505 (WALBERG), PLAN For Broadband Act;

16 H.R. 4513 (GRIFFITH), Commerce Spectrum Coordination Act of
17 2023;

18 H.R. 4504 (GUTHRIE), Novel, Advanced, Spectrum and
19 Communications Technology Networks Promotion Act; AND

20 H.R. 3431 (MATSUI), Spectrum Coexistence Act

21 WEDNESDAY, JULY 12, 2023

22 House of Representatives,

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23 Subcommittee on Communications and Technology,
24 Committee on Energy and Commerce,
25 Washington, D.C.

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29 The subcommittee met, pursuant to call, at 10:00 a.m. in
30 Room 2123, Rayburn House Office Building, Hon. Bob Latta
31 [chairman of the subcommittee] presiding.

32

33 Present: Representatives Latta, Bilirakis, Walberg,
34 Carter, Dunn, Curtis, Joyce, Weber, Balderson, Harshbarger,
35 Cammack, Obernolte, Rodgers (ex officio); Matsui, Clarke,
36 Veasey, Soto, Eshoo, Cardenas, Craig, Fletcher, Dingell,
37 Kuster, Kelly, and Pallone (ex officio).

38

39 Staff Present: Jolie Brochin, Clerk, Health; Sarah
40 Burke, Deputy Staff Director; Lauren Eriksen, Clerk, O&I;
41 Sydney Greene, Director of Operations; Slate Herman, Counsel,
42 C&T; Jessica Herron, Clerk, IDC; Nate Hodson, Staff Director;
43 Tara Hupman, Chief Counsel; Noah Jackson, Clerk, C&T; Sean
44 Kelly, Press Secretary; Peter Kielty, General Counsel; Emily

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45 King, Member Services Director; Giulia Leganski, Professional
46 Staff Member, C&T; John Lin, Senior Counsel, C&T; Kate
47 O'Connor, Chief Counsel, C&T; Kaitlyn Peterson, Clerk, Energy
48 and Environment; Carla Rafael, Senior Staff Assistant; and
49 Evan Viau, Professional Staff Member, C&T; Hannah Anton,
50 Minority Policy Analyst; Jennifer Epperson, Minority Chief
51 Counsel, C&T; Perry Hamilton, Minority Member Services and
52 Outreach Manager; Mackenzie Kuhl, Minority Digital Manager;
53 Dan Miller, Minority Professional Staff Member; Caroline
54 Rinker, Minority Press Assistant; Michael Scurato, Minority
55 FCC Detailee; Andrew Souvall, Minority Director of
56 Communications, Outreach, and Member Services; and Johanna
57 Thomas, Minority Counsel.

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59 *Mr. Latta. The subcommittee will come to order, and
60 the chair recognizes himself for an opening statement.

61 And again, welcome to today's subcommittee markup. We
62 will be considering four pieces of legislation to reauthorize
63 the National Telecommunication and Information Administration
64 and provide the agency with new tools and directions to carry
65 out its mission.

66 Reauthorizing agencies within our jurisdiction is an
67 important part of our duty in this committee, and this is an
68 opportune time to reauthorize NTIA, something we have not
69 done since 1992.

70 Today NTIA plays a significant role in closing the
71 digital divide, managing our nation's spectrum, and
72 advocating United States telecommunications positions on the
73 world stage.

74 I am proud to lead the NTIA Reauthorization Act
75 alongside with our ranking member of the subcommittee, the
76 gentlelady from California. This comprehensive legislation
77 will ensure NTIA has the tools it needs to carry out its
78 mission in the 21st century.

79 Congress recently provided NTIA with \$48.2 billion to
80 address broadband deployment and digital equity and

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81 inclusion. This reauthorization is one way to ensure that
82 NTIA has the tools it needs to effectively manage these
83 programs.

84 Today's NTIA also plays a key role in our effort to
85 maintain leadership in wireless communications. As Federal
86 spectrum manager, NTIA works with other Federal agencies to
87 ensure their spectrum interests are protected, while also
88 working to identify spectrum that can be made available for
89 commercial use.

90 Our legislation would codify several key offices within
91 the NTIA, including the Office of Spectrum Management, the
92 Office of Public Safety Communications, the Office of
93 International Affairs, the Institute for Communication
94 Sciences, and reinforces NTIA's role in cybersecurity policy
95 by codifying and renaming the Office of Policy Development
96 and Cybersecurity.

97 The bill also takes the long-needed action of elevating
98 the head of NTIA from an assistant secretary to
99 undersecretary position. This promotion would underscore in
100 both the eyes of the public and other Federal agencies the
101 role that NTIA plays in connecting all Americans.

102 Finally, this legislation includes several measures led

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103 by our colleagues that direct the NTIA to draft a national
104 strategy to close the digital divide, conduct a cybersecurity
105 literacy program, provide technical assistance for Open RAN
106 networks, and improve the coordination of Federal spectrum
107 efforts, and more.

108 I want to thank our colleagues on the subcommittee for
109 their leadership on these initiatives.

110 We will also consider several additional pieces of
111 legislation today. The Spectrum Relocation Enhancement Act,
112 introduced by the ranking member of the subcommittee, would
113 make changes to what costs are eligible for reimbursement
114 from the Spectrum Relocation Fund, or SRF, how Federal
115 agencies receive these payments, and increase NTIA's
116 oversight over SRF activities.

117 In addition to spectrum policy we will consider the
118 Artificial Intelligence Accountability Act, introduced by the
119 gentleman from California's 9th district, which would direct
120 NTIA to conduct a study on accountability measures for AI
121 systems used by communication networks.

122 Finally, we will consider the Diaspora Link Act,
123 introduced by the delegate from the U.S. Virgin Islands.
124 This legislation would direct NTIA to submit a report to

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125 Congress assessing the feasibility of developing a
126 transatlantic submarine fiber optic cable connecting the
127 contiguous United States, the U.S. Virgin Islands, Ghana, and
128 Nigeria.

129 I would like to thank the members of the subcommittee
130 for their work on these measures, and I am pleased that we
131 are able to move forward on this legislation in a bipartisan
132 manner.

133 I look forward to again working with the stakeholders
134 and our colleagues on both sides as we move this to full
135 committee markup.

136 I now recognize the gentlelady from California, the
137 ranking member of the subcommittee, for an opening statement
138 in five minutes, and I yield back the balance of my time.

139 *Ms. Matsui. Thank you very much, Mr. Chairman.

140 Oversight of the NTIA is one of the most crucial
141 functions of this subcommittee. Since it was last
142 reauthorized more than 30 years ago, the pace of
143 technological renovation has accelerated exponentially. As
144 our lives become increasingly digital, the importance of this
145 agency has only grown.

146 From spectrum governance to the digital economy, NTIA

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147 must be empowered to keep America the vanguard of global tech
148 leadership. With a bipartisan NTIA reauthorization act, we
149 are providing new tools and authority to ensure the agency
150 can keep up with the pace of innovation. By elevating the
151 NTIA administrator from assistant to undersecretary, we are
152 reinforcing the statutory role of NTIA to speak on behalf of
153 the Federal Government on important tech issues. And we are
154 modernizing the agency's mission to reflect the challenges of
155 today and opportunities of tomorrow.

156 It also includes my Spectrum Coexistence Act, which will
157 require NTIA to conduct a review of Federal receiver
158 technology to support more intensive use of limited spectrum.
159 The FCC released a set of receiver principles for commercial
160 equipment, and it is important we do the same for Federal
161 tech. We can't afford to have outdated equipment on the
162 commercial or government side preventing opportunities for
163 more efficient uses of spectrum.

164 This bill also includes a SMART Act Congressman Guthrie
165 and I introduced to develop an incumbent informing
166 capability. This would allow Federal users to share spectrum
167 with commercial users by telling them when and where they are
168 operating in real time.

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169 I am also glad to see my Spectrum Relocation Enhancement
170 Act on the agenda today. The Spectrum Relocation Fund
171 compensates Federal agencies for moving off spectrum to make
172 it available for commercial use. While the fund has been
173 successful, it needs to be modernized. Outdated limitations
174 in the fund are holding it back. This bill addresses that.
175 By allowing agencies to replace their technology with an
176 enhanced capability, they will be more equipped for their
177 missions, be better spectrum neighbors, and have more
178 incentive to participate with the fund.

179 Taken together, this bill and the provisions in the NTIA
180 Reauthorization Act will make the Federal Government a more
181 positive force in maintaining a healthy spectrum pipeline.

182 But we are also taking steps to ensure NTIA has the
183 tools it needs to continue important work expanding broadband
184 access and increasing cybersecurity. As investments start to
185 flow to the states, this bill will ensure NTIA is coordinated
186 with the entire Federal Government on closing the digital
187 divide.

188 We are also reinforcing NTIA's role in promoting
189 cybersecurity in communications technology. As cyber attacks
190 targeting our communications network grow more frequent and

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191 severe, we cannot afford to maintain the status quo. The
192 coordination and collaboration between government,
193 researchers, and industry will better prepare us for the
194 cyber threats on the horizon.

195 I want to thank Chairman Latta for the partnership on
196 this bill, the bipartisan agenda before us today. I am
197 looking forward to advancing these bills to the full
198 committee, and ultimately the floor.

199 With that, I yield back the balance of my time.

200 *Mr. Latta. Thank you. The gentlelady yields back the
201 balance of her time. The chair now recognizes the gentlelady
202 from Washington, the chair of the full Committee of Energy
203 and Commerce, for five minutes.

204 *The Chair. Thank you, Mr. Chairman. Good morning,
205 everyone.

206 Today we are marking up legislation to reauthorize the
207 National Telecommunications and Information Administration,
208 or NTIA.

209 And I want to thank the subcommittee chairman, Bob
210 Latta, for his leadership on this legislation.

211 One of my top priorities as chair of Energy and Commerce
212 is to reauthorize agencies within our jurisdiction. This is

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213 an important part of our congressional oversight, and ensures
214 that we are carrying out our responsibility as the
215 representatives of the people to hold agencies accountable,
216 give them statutory direction, provide the tools that
217 agencies need to carry out, and stay true to their mission.

218 In NTIA's case, Congress has not reauthorized the
219 administration since 1992. A lot has changed in the last 31
220 years, both in the technology sector and at NTIA. Today's
221 NTIA plays a critical role in everything from broadband
222 deployment and Federal spectrum management to Internet
223 governance and cybersecurity: issues not common or even in
224 existence when the agency was last reauthorized.

225 NTIA's budget reflects this change. In 1992 Congress
226 authorized an appropriation of 17.9 million. This year
227 Congress appropriated NTIA with 62 million.

228 Now is the time for us to reauthorize NTIA. NTIA plays
229 a significant role in closing the digital divide, overseeing
230 a number of programs related to broadband access. This
231 reauthorization would help ensure that NTIA has the right
232 structure to manage these programs and coordinate with other
233 agencies that maintain broadband programs.

234 Reauthorization also presents an opportunity to

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235 strengthen NTIA's role as Federal spectrum manager. Spectrum
236 disputes between agencies have become more and more common in
237 recent years, highlighting the need to strengthen and clearly
238 define NTIA's role. The bill before us does this by
239 clarifying that NTIA is responsible for coordinating the
240 views of the executive branch and presenting that to the FCC,
241 and by building more safeguards into the Federal coordination
242 procedures so that other agencies' needs are appropriately
243 accounted for.

244 NTIA also leads in addressing some of our top
245 telecommunications challenges, including in cybersecurity and
246 public safety. This legislation establishes new offices
247 related to both, and provides clarity and transparency for
248 the TEAM TELECOM process, for national security reviews of
249 foreign participation in the telecommunications sector.

250 Finally, our legislation elevates the responsibility of
251 NTIA within the executive branch by promoting the NTIA
252 administrator from an assistant secretary of commerce to an
253 undersecretary of commerce. NTIA plays a much larger role
254 today within the Federal Government as coordinator of the
255 Federal broadband programs, Federal spectrum manager, and
256 representative of the United States in international

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257 telecommunications forums. These are significant government-
258 wide responsibilities, and this elevation reflects that.

259 Again, I want to thank the members of the subcommittee
260 for their work on these measures. I look forward to
261 discussing them and advancing them today to the full
262 committee.

263 Thank you, and I yield back.

264 *Mr. Latta. Thank you very much. The gentlelady yields
265 back. The chair now recognizes the gentleman from New
266 Jersey, the ranking member of the full committee, for five
267 minutes.

268 *Mr. Pallone. Thank you, Chairman Latta.

269 Today we are marking up several bipartisan bills that
270 collectively will reauthorize the National Telecommunications
271 and Information Administration, or NTIA. And these bills
272 will ensure that this important agency has the authorities it
273 needs to continue to oversee technological advancements in
274 such areas as spectrum management and artificial
275 intelligence.

276 The subcommittee's action on these bills will also allow
277 NTIA to continue making strides and helping connect all
278 Americans to high speed, reliable, and affordable broadband.

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279 The NTIA is the primary Federal agency implementing the
280 Bipartisan Infrastructure Law's historic \$65 billion
281 broadband investments that are finally giving us the
282 opportunity to bridge the digital divide. And these
283 investments are going to help grow the economy and the middle
284 class and communities throughout the nation that have simply
285 been left behind far too long.

286 First, I am pleased that we are considering H.R. 4510,
287 the NTIA Reauthorization Act, bipartisan legislation
288 introduced by Chairman Latta and Ranking Member Matsui. This
289 legislation reauthorizes NTIA, and elevates its leadership in
290 the Department of Commerce by making the administration -- or
291 the administrator position an undersecretary. Taking these
292 important steps will better reflect NTIA's importance in
293 being the agency that serves as the President's primary
294 advisor on telecommunications and technology policy.

295 This bill includes the text of several bipartisan bills
296 this subcommittee has worked on, in some cases going back to
297 last Congress. It includes the Plan for Broadband Act, co-
298 led by Representatives Kuster and Walberg, which directs the
299 NTIA to develop a national strategy to close the digital
300 divide. As part of this strategy, the agency must develop a

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301 plan to monitor the consistency, affordability, and quality
302 of broadband service supported by Federal broadband programs.
303 It also includes Representative Allred's Open RAN Outreach
304 Act, and two bills co-led by representative issue to address
305 cybersecurity issues.

306 With the enormous responsibilities we give to NTIA
307 through this legislation, it is critical that we not only
308 reauthorize the agency but also ensure that NTIA is fully
309 funded for this upcoming fiscal year. The Bipartisan
310 Infrastructure Law's investment will help bring broadband
311 infrastructure to all corners of the nation. But in order to
312 accomplish this monumental task, NTIA must be quickly
313 reauthorized and fully funded.

314 We will also consider H.R. 3430, the Spectrum Relocation
315 Enhancement Act, a bipartisan bill that Ranking Member Matsui
316 introduced earlier this year. That bill will enhance NTIA's
317 Federal spectrum relocation efforts by providing additional
318 flexibility on the types of systems that Federal entities can
319 consider when evaluating the feasibility of relocating or
320 sharing their assigned spectrum resources. And this
321 flexibility will help ensure that these resources are being
322 utilized in an efficient and effective manner.

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323 And then we have H.R. 3369, the Artificial Intelligence
324 Accountability Act introduced by Representatives Harder and
325 Kelly. This bill directs NTIA to assess the degree to which
326 AI systems are accountable to consumers and what measures are
327 needed to reduce the risks surrounding them. While AI
328 systems offer enormous potential, it is imperative that we
329 have the tools to ensure they are designed with consumers in
330 mind, and to hold them accountable when they are not.

331 And finally, we have H.R. 3385, the Diaspora Link Act
332 introduced by Representative Plaskett. And this bill will
333 require NTIA to assess the value of developing a
334 transatlantic submarine fiber cable connecting the United
335 States, the U.S. Virgin Islands, Ghana, and Nigeria to
336 increase the security of our networks.

337 So let me say, Mr. Chairman, I appreciate the work of my
338 colleagues on both sides of the aisle to reach bipartisan
339 agreement on these important bills so that we can consider
340 them for markup today. There is still more work to do before
341 we consider these proposals at a full committee markup, and I
342 look forward to working with Chairs Rodgers and Latta and
343 Ranking Member Matsui so we can be sure to get the policies
344 right and workable for the agency before we advance them to

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345 the full committee.

346 And with that, I yield back. Thank you.

347 *Mr. Latta. Thank you. The gentleman yields back. The
348 chair reminds members that, pursuant to the committee rules,
349 all members' opening statements will be made part of the
350 record.

351 Are there any further opening statements?

352 *Mr. Walberg. Mr. Chairman, I move to strike the last
353 word.

354 *Mr. Latta. The gentleman from Michigan is recognized
355 to strike the last word for three minutes.

356 *Mr. Walberg. Thank you, Mr. Chairman. The bipartisan
357 package we are considering today would reauthorize the NTIA
358 and modernize its mission, improving spectrum management,
359 eliminating unnecessary bureaucratic reporting, and codifying
360 essential offices within the agency.

361 It also includes my H.R. 4505, the Proper Leadership to
362 Align Networks for Broadband Act, or PLAN for Broadband Act,
363 which requires the NTIA, in consultation with all relevant
364 agencies, to develop and implement a national strategy to
365 close the digital divide. The legislation is based off
366 recommendations from a Government Accountability Office

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367 report from last May. The report found that there are more
368 than 130 Federal broadband programs administered by 15
369 different agencies. These programs include hundreds of
370 billions of dollars that can be used to increase connection
371 across the country. But without clear goals, objectives, and
372 performance measures, these programs are fragmented and tend
373 to overlap.

374 Unless we implement proper coordination, there are
375 serious concerns about duplication and overbuilding. This
376 duplication has already occurred. In one example, multiple
377 awards from the FCC's high-cost program and the USDA's Rural
378 Utility Service program had overlapping service areas.

379 There are still millions of people across the country,
380 especially those in rural areas like my district, who do not
381 have access to a reliable Internet connection. We can't be
382 wasting time, money, and resources deploying to areas that
383 have already been covered.

384 The plan would synchronize interagency coordination
385 among Federal broadband programs, identifying ways to lower
386 costs, and ease administrative burdens for states and
387 localities to participate in these programs and make
388 recommendations better to better distribute and administer

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389 Federal funds. This is key to closing the digital divide.

390 I want to thank my Rural Broadband Caucus co-chair,
391 Congresswoman Kuster, as well as Senators Wicker, Thune,
392 Lujan, and Welch for joining me in introducing this
393 legislation.

394 Without coordination, no amount of money will truly get
395 rural America connected. We need a national broadband
396 strategy. I encourage my colleagues to support the
397 legislation.

398 And before I yield back, if someone wants to use my
399 remaining time, I would be glad to yield.

400 *Ms. Kuster. I just wanted to thank you for introducing
401 the bill. I think coordination and planning is critical to
402 reach the 24 million Americans who still do not have Internet
403 access, and I thank you and I yield back.

404 *Mr. Walberg. I thank my colleague, and I yield back.

405 *Mr. Latta. The gentleman yields back. The gentleman
406 from Florida is recognized for three minutes for an opening
407 statement.

408 *Mr. Soto. Thank you, Mr. Chairman.

409 We worked together with President Biden and with the
410 Congress last term with a generational goal, which is to

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411 ensure that every American has access to high-speed Internet
412 -- urban, suburban, rural areas across central Florida, and
413 our nation.

414 We had a great start with the American Rescue Plan,
415 which saw about 14 million-plus go to rural areas of South
416 Osceola County and Florida's 9th congressional district. But
417 then we made the big downpayment, the Bipartisan
418 Infrastructure Law, which provided \$65 billion to help with
419 broadband investment, including 42 billion for the BEAD
420 program.

421 We saw Florida finally get their award, \$1.17 billion,
422 just 2 weeks ago to help across the Sunshine State.

423 While we see these major investments, these generational
424 investments, there are challenges ahead: how best to close
425 the digital divide, the divide between the haves and the
426 have-nots of high-speed Internet; how to make our
427 telecommunications system more resilient against
428 cybersecurity attacks; and also to improve public safety for
429 our first responders responding to hurricanes and other
430 natural disasters.

431 I am proud to support the NTIA Reauthorization Act
432 today, which is going to help us address some of these major

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433 challenges as we forge ahead on this audacious goal to ensure
434 every American has access to high-speed Internet.

435 And I yield back.

436 *Mr. Latta. Thank you. The gentleman yields back. Are
437 there any further opening statements?

438 The gentlelady from California's 16th district is
439 recognized for three minutes.

440 *Ms. Eshoo. Thank you, Mr. Chairman, and good morning,
441 colleagues. I move to strike the last word.

442 The NTIA is the primary agency dedicated to managing
443 spectrum for Federal use, expanding broadband access, and
444 developing Federal policy on the Internet economy. The NTIA,
445 as has been mentioned by colleagues, was last reauthorized in
446 1992, when the Internet was in its infancy. The Internet and
447 wireless technology have changed so significantly in the last
448 30 years, and it is so important that we modernize the
449 agency's mission and provide the resources it needs to carry
450 out that mission.

451 Congress has tasked the NTIA with distributing 65
452 billion -- with a B, billion -- dollars in funding from the
453 Infrastructure and Investment Jobs Act [sic] to help connect
454 Americans to reliable, affordable broadband. The NTIA

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455 announced its allocations to each state at the end of last
456 month, including \$1.8 billion for my home state of
457 California. These funds are going to help bridge the digital
458 divide and better connect our nation, and the agency has to
459 be fully funded to ensure it can effectively implement this
460 program.

461 My Silicon Valley district, you all would assume is
462 fully connected throughout the district. That is not the
463 case. I have rural areas that are still left wanting. And
464 this, the implementation of this program, is really -- it is
465 exciting because this is a generational investment.

466 Two of my bills are included in this reauthorization to
467 address cybersecurity threats.

468 The American Cybersecurity Literacy Act, which I co-
469 led with Representative Obernolte, requires the NTIA to conduct a
470 public education campaign to improve American cyber-literacy.
471 Through this campaign the NTIA will provide information about
472 common cybersecurity risks and best practices to mitigate
473 those risks.

474 The reauthorization also includes the Understanding
475 Cybersecurity of Mobile Networks Act, which I introduced with
476 Representative Cammack. This important bill requires the

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477 NTIA to study the cybersecurity vulnerabilities of mobile
478 networks and report those findings to Congress.

479 Every day Americans make calls, send texts, access data
480 on 2G, 3G, and 4G networks. But we lack a full understanding
481 of their vulnerabilities, what issues have been resolved, and
482 where mobile cyber security policymaking should be focused.
483 Americans need to trust the networks they use, and be
484 confident that Congress is working to ensure those networks
485 are safe, and this bill will help us accomplish that.

486 Finally, the NTIA jointly administers the National 911
487 program with the National Highway Traffic Safety
488 Administration. Most 911 call centers throughout the country
489 still use legacy technology developed over 50 years ago, and
490 Representative Hudson and I introduced the Next Generation
491 911 Act to help states and local governments modernize these
492 call centers. While this bill was considered in our NTIA
493 hearing, it is not part of today's reauthorization because it
494 was already included in the Spectrum Auction Reauthorization
495 Act that we marked up in May. So I urge my colleagues to
496 support this legislation.

497 Mr. Chairman, I am grateful to every member that
498 participated on both sides of the aisle to bring this

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499 forward, and I yield back.

500 *Mr. Latta. The gentlelady yields back. Are there any
501 other members wishing to offer an opening statement?

502 Seeing none, that will conclude opening statements. The
503 chair now calls up H.R. 4510, and asks the clerk to report.

504 *The Clerk. H.R. 4510, a bill to reauthorize the
505 National Telecommunications and Information Administration to
506 update the mission and functions --

507 *Mr. Latta. Without objection, the first reading of the
508 bill is dispensed with, and the bill will be open for
509 amendment at any point.

510 So ordered.

511 [The bill follows:]

512

513 *****COMMITTEE INSERT*****

514

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515 *Mr. Latta. Does anyone seek to be recognized on the
516 bill?

517 The vice chairman, the gentleman from Georgia, seeks
518 recognition.

519 *Mr. Carter. I move to strike the last word.

520 *Mr. Latta. The gentleman is recognized to strike the
521 last word for five minutes.

522 *Mr. Carter. Mr. Chairman, I rise today in support of
523 H.R. 4510, the NTIA Reauthorization Act of 2023, which
524 includes my bill, the ITS Codification Act, which passed
525 unanimously on the House floor this past April.

526 The Institute for Telecommunications Sciences, or ITS,
527 is essential to informing important spectrum policy decisions
528 and contributing innovative advancements that are crucial to
529 our global competitiveness. NTIA relies on complex technical
530 radio frequency testing and analysis conducted by ITS, and
531 therefore we must strengthen its statutory authority to
532 ensure it continues to do so.

533 I urge my colleagues to support this bipartisan
534 legislation to modernize NTIA, which has not been
535 reauthorized in 30 years.

536 And at this time I will yield to Representative Joyce.

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537 *Mr. Joyce. I thank the gentleman for yielding, and I
538 also thank you, Chairman Latta, for holding this markup as we
539 work together to pass this critical legislation.

540 The National Telecommunications and Information
541 Administration plays an essential role in the modernization
542 of Americans' broadband infrastructure and promoting digital
543 inclusion and accessibility, particularly in rural areas like
544 the one that I represent in Pennsylvania.

545 With so many Americans relying on high-speed internet
546 and broadband access for both work and to learn, it is more
547 important than ever that we pass a strong NTIA
548 reauthorization package, which is precisely what Chairman
549 Latta's bill does.

550 Included in H.R. 4510 is my bill, H.R. 1354, the
551 Information and Communication Technology Strategy Act. This
552 bipartisan bill guarantees that NTIA develops a strategy to
553 strengthen the telecommunications market and supply chain.
554 With increasing threats from global manufacturers, we must
555 ensure that American telecommunications manufacturing base
556 remains competitive with other governments and other
557 countries.

558 My bill allows the NTIA to identify ways for the Federal

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559 Government to better protect and strengthen our supply chain:
560 a much-needed capacity in an ever-changing world. We need to
561 ensure that America remains the global leader in
562 telecommunications and technology, and this bill today will
563 make sure that this is indeed the case. I encourage all
564 members to vote yes on H.R. 4510, the NTIA Reauthorization
565 Act.

566 And I yield my remaining time to Representative
567 Balderson.

568 *Mr. Balderson. Thank you, Mr. Joyce.

569 Mr. Chairman, thank you for hosting this important
570 markup and bringing this bill before the subcommittee today.

571 Since 1993, technology and the use of the spectrum have
572 evolved rapidly. During this time, for example, cell phones
573 evolved from a simple devices that made voice calls to sleek
574 smartphones that put the Internet in the palm of our hands.
575 Despite these rapid advancements in technology, it has been
576 30 years since Congress reauthorized the NTIA, which is the
577 steward of the Federal spectrum and the chief adviser to the
578 President on these issues. This reauthorization is long
579 overdue, and I commend you, Mr. Chairman, for introducing
580 this bill and moving it forward.

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581 In an effort to make sure the NTIA keeps up with the
582 times, I introduced the Spectrum Coordination Act. This bill
583 ensures the NTIA and the FCC are on the same page when it
584 comes to spectrum actions, and requires them to update their
585 MOU on spectrum coordination every four years. This language
586 will ensure the agencies work together and stay up to date
587 with the rapidly evolving use of our nation's valuable
588 spectrum.

589 I thank you, Mr. Chairman, for recognizing the
590 importance of sound coordination between the NTIA and the FCC
591 by including my Spectrum Coordination Act in this
592 reauthorization. I encourage all of my colleagues to support
593 this legislation.

594 I yield back my remaining time to Mr. Curtis.

595 Okay, I yield back to Mr. Chairman.

596 *Mr. Latta. Does the vice chair wish to yield to
597 someone else?

598 *Mr. Carter. Mr. Chairman, I yield to Representative
599 Cammack.

600 *Mrs. Cammack. Thank you to my friend from the great
601 State of Georgia, and thank you, Chairman Latta, for your
602 leadership on this bill, H.R. 4510, the NTIA Reauthorization

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603 Act.

604 I support this bill and encourage all of my colleagues
605 to support it, as well. As we have said here multiple times
606 today, this bill has not been -- this program has not been
607 reauthorized in over 30 years, since 1992. But the agency's
608 mission and its functions have only grown in importance.

609 NTIA serves as the principal advisor for the President
610 on telecommunications and information policy issues. The
611 agency itself plays a vital role in Federal spectrum
612 management, public safety communications, and more.

613 Now, a few weeks ago NTIA administered the largest
614 broadband grant program ever by distributing \$42.5 billion in
615 funding to states through the BEAD program. Furthermore,
616 earlier this spring NTIA began seeking input through a
617 request for comment on AI.

618 H.R. 4510 will make the important changes necessary to
619 update the mission and functions of the agency to ensure it
620 is equipped to meet the challenges of today by updating the
621 existing 30-year authorization with this bill.

622 In addition, I am particularly proud that two of my
623 bills are included in this reauthorization: the Public
624 Safety Communications Act and the Understanding Cybersecurity

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625 Mobile Networks Act, which I co-led with Representative
626 Eshoo.

627 Again, I want to thank Chairman Latta for his leadership
628 on this bill, and I encourage all of my colleagues to support
629 it.

630 I yield back.

631 *Mr. Carter. Chairman, I yield back.

632 *Mr. Latta. Thank you. The gentleman's time has
633 expired, and yields back. Are there any others?

634 The gentlelady -- the ranking member of the subcommittee
635 is recognized for five minutes --

636 *Ms. Matsui. Thank you --

637 *Mr. Latta. -- strike the last word.

638 *Ms. Matsui. Thank you, Mr. Chairman. I move to strike
639 the last word.

640 Let me start by thanking you, Mr. Chairman, for your
641 commitment to moving this package as a bipartisan bill.

642 The role of NTIA in the Federal Government has never
643 been more critical. Reporting a bipartisan product from this
644 subcommittee shows we are serious about reasserting and
645 expanding the agency's responsibilities.

646 By elevating the role of the administrator, we are

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647 helping NTIA better satisfy its mission, serving as the
648 agency principally responsible by law for advising the
649 President on telecommunications and information policy.

650 As the pace of innovation quickens, the government needs
651 to speak with one voice when addressing emerging tech
652 challenges. From spectrum to cybersecurity to the digital
653 economy, it is imperative that NTIA have the expertise and
654 authority to advance our interests.

655 As I said in my opening, this bill includes important
656 provisions that will make the agency more nimble and better
657 equipped to represent America's interests on the global
658 stage. The pillars in this bill outline a roadmap for U.S.
659 leadership in policy areas that would determine global
660 leadership in the coming decades. That includes spectrum
661 management, cybersecurity, and international coordination.

662 By giving existing NTIA offices statutory authority and
663 more clearly defining their objectives, this bill provides
664 the stability and strategy America needs to stay ahead of its
665 peers.

666 For more than 30 years the NTIA has operated without a
667 congressional reauthorization. I am hopeful this bill will
668 end that streak. It is bipartisan, has sound policy, and is

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669 well overdue.

670 So, Mr. Chairman, I am excited to continue working with
671 you to get this bill to the floor as soon as we can.

672 With that, is there anyone else on my side who wants
673 time yielded?

674 Doesn't look like it. I yield back.

675 *Mr. Latta. Thank you. The gentlelady yields back.

676 The gentleman from California seeks to strike the last word.

677 *Mr. Obernolte. Thank you, Mr. Chair. I move to strike
678 the last word.

679 *Mr. Latta. You are recognized for five minutes to
680 strike the last word.

681 *Mr. Obernolte. Mr. Chairman, I am proud to rise in
682 support of the NTIA reauthorization bill that we are
683 considering today, and I would like to thank you very much
684 for including my bill, the American Cybersecurity Literacy
685 Act, in this bill package. This is a bipartisan bill that I
686 co-lead with Congresswoman Eshoo that would seek to better
687 educate the American public on the dangers of cybersecurity,
688 and what they need to do to enhance their own cybersecurity.

689 I don't think it is news to anyone that cybersecurity is
690 a growing threat to the American public, and yet I think our

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691 public is woefully under-educated on this issue. And if you
692 want proof of that, look no further than the fact that
693 currently the most popular password used by American computer
694 users is in itself the word "password," followed in second
695 place by the numbers 12345, together.

696 [Laughter.]

697 *Mr. Obernolte. And that is particularly troubling when
698 you consider that recent cybersecurity problems and hacks by
699 foreign actors have revolved around the compromise of
700 personal passwords. In fact, in 2021, the Colonial Pipeline
701 was taken down by the hack of a personal password. That
702 resulted in the disruption of oil supplies to the entire
703 eastern half of the United States. That is an indication of
704 the dangers that can occur when the public doesn't take the
705 issue of cybersecurity seriously.

706 So this bill would direct the NTIA to conduct a public
707 outreach campaign on how Americans can better protect
708 themselves from cybersecurity threats. I think it is a
709 worthwhile bill, and I thank you for including it in this
710 bill package. I yield the bill -- I encourage the bill
711 package's adoption.

712 I yield back.

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713 *Mr. Latta. Thank you. The gentleman yields back. Are
714 there other members wishing to be recognized?

715 Seeing none, are there any bipartisan amendments to the
716 bill?

717 Hearing none, the question now occurs on forwarding H.R.
718 4510 to the full committee.

719 All those in favor will signify by saying aye.

720 Those opposed, no.

721 The ayes have it and the bill is agreed to.

722 The chair calls up 3430, and asks the clerk to report.

723 *The Clerk. H.R. 3430, a bill to amend the National
724 Telecommunications and Information Administration
725 Organization Act to enhance Federal spectrum relocation and
726 for other --

727 *Mr. Latta. Without objection, the first reading of the
728 bill is dispensed with, and the bill will be open for
729 amendment at any point.

730 So ordered.

731 [The bill follows:]

732

733 *****COMMITTEE INSERT*****

734

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735 *Mr. Latta. Does anyone seek to be recognized on the
736 bill?

737 *Mr. Weber. Mr. Chairman, I have an amendment.

738 *Mr. Latta. The gentleman has -- is it a bipartisan
739 amendment to the bill?

740 *Mr. Weber. Yes, it is.

741 *Mr. Latta. The clerk -- what is your amendment?

742 *Mr. Weber. Oh, 029.

743 *Mr. Latta. The clerk will report.

744 *The Clerk. Amendment in the nature of a substitute to
745 H.R. 3430, offered by Mr. Weber.

746 Strike all after the enacting clause, and insert the
747 following. Section 1, short title --

748 *Mr. Latta. Without objection, the reading of the
749 amendment is dispensed with.

750 [The amendment of Mr. Weber follows:]

751

752 *****COMMITTEE INSERT*****

753

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754 *Mr. Latta. The gentleman is now recognized for five
755 minutes in support of his amendment.

756 *Mr. Weber. Thank you, Mr. Chairman. I would like to
757 thank Ranking Member Matsui for working with the majority on
758 this amendment.

759 The Spectrum Relocation Fund is an important tool to
760 ensure that we can make more spectrum available for
761 commercial use, while also incentivizing Federal agencies to
762 use that spectrum more efficiently.

763 This amendment would make improvements to the bill that
764 would help speed the process for Federal agencies to use that
765 spectrum, their spectrum, more efficiently and make more
766 Federal spectrum actually commercially available.

767 I welcome the opportunity to work with Ranking Member
768 Matsui and with stakeholders as we move to the full committee
769 markup, and I urge my colleagues to support.

770 And Mr. Chairman, unless somebody wants me to yield back
771 time, I will yield it to you.

772 *Mr. Latta. I think the --

773 *Ms. Matsui. May I strike the last word?

774 *Mr. Latta. Okay, the gentleman yields back and the
775 chair now recognizes the gentlelady, the ranking member from

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776 the subcommittee, for five minutes to strike the last word on
777 the --

778 *Ms. Matsui. Thank you, Mr. Chairman. I move to strike
779 the last word.

780 First I want to thank Congressman Weber for the
781 collaboration on this bill.

782 The Spectrum Relocation Fund is one of the most
783 important tools we have to incentivize Federal agencies to
784 clear spectrum for commercial use. The SRF reimburses
785 agencies for the costs that come with repurposing spectrum.
786 However, outdated language restricts agencies to purchasing
787 replacement equipment with only a comparable capability.
788 That means agencies are forced to maintain the same standard
789 of equipment, even if more efficient technology is available.
790 This restriction undermines the incentive for agencies, and
791 limits the overall effectiveness of the fund.

792 That is why our bill follows the recommendations of
793 industry, academia, and public interest by providing needed
794 flexibility for agencies to enhance the capability of their
795 equipment through the SRF. This has two benefits. It
796 creates a more meaningful incentive for agencies to
797 participate in SRF, and it ensures they have the state-of-

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798 the-art equipment they need for their vital missions.

799 To maintain the solvency of the SRF, we have included
800 new guardrails on this flexibility. This will allow the SRF
801 to stay relevant, while ensuring it remains on solid
802 financial footing. In the long run, this bill will better
803 serve Federal agencies while making more spectrum available
804 for commercial use. I am glad to see it advancing today, and
805 I am committed to continuing to work on it as we head to a
806 full committee markup soon.

807 With that, I will yield back.

808 *Mr. Latta. Thank you. The gentlelady yields back. Is
809 there any other discussion on the amendment?

810 Hearing none, all those in favor will signify by saying
811 aye.

812 All opposed, nay.

813 Is there -- are there any other amendments to the bill?

814 Any other member wishing to be recognized?

815 If not, the question now occurs on forwarding H.R. 3430,
816 as amended, to the full committee.

817 All those in favor will signify by saying aye.

818 Those opposed, no.

819 The ayes have it, the bill is agreed to.

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820 The chair calls up H.R. 3385, and asks the clerk to
821 report.

822 *The Clerk. H.R. 3385, a bill to direct the Assistant
823 Secretary of Commerce for Communications and Information to
824 submit to Congress a report containing an assessment of the
825 value --

826 *Mr. Latta. Without objection, the first reading of the
827 bill is dispensed with, and the bill will be open for
828 amendment at any point.

829 So ordered.

830 [The bill follows:]

831

832 *****COMMITTEE INSERT*****

833

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834 *Mr. Latta. Does anyone seek to be recognized on the
835 bill?

836 For what purpose does the gentleman from Idaho wish to
837 be recognized?

838 *Mr. Fulcher. Thank you, Mr. Chairman. I have an
839 amendment at the desk and I move to strike the last word.

840 *Mr. Latta. The -- what is your amendment titled,
841 please?

842 *Mr. Fulcher. The amendment title is the Diaspora Link
843 Act AINS to, let's see, AINS 335 No. 1.

844 *Mr. Latta. The clerk will report the amendment.

845 *The Clerk. Amendment in the nature of a substitute to
846 H.R. 3385, offered by Mr. Fulcher.

847 Strike all after the enacting clause, and insert the
848 following. Section 1, short title. This act may be cited
849 as --

850 *Mr. Latta. Without objection, the reading of the
851 amendment is dispensed with.

852 [The amendment of Mr. Fulcher follows:]

853

854 *****COMMITTEE INSERT*****

855

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856 *Mr. Latta. And the gentleman is recognized for five
857 minutes in support of the AINS.

858 *Mr. Fulcher. Thank you, Mr. Chairman.

859 My amendment to the Diaspora Act -- Link Act, H.R. 3385,
860 would require NTIA to study the value, cost, and feasibility
861 of running a transatlantic undersea fiber optic cable from
862 the U.S. Virgin Islands in the Caribbean to the continent of
863 Africa.

864 I want to thank my colleague, Stacey Plaskett, for
865 working on -- with me on this issue.

866 And just by word of background, undersea cables carry
867 more than 95 percent of international data, and that delivers
868 military and civilian connections to meet a wide variety of
869 needs. And while the bulk of these connect the U.S. and
870 Europe, the military, specifically Africa Command and Special
871 Forces Command, may benefit or could be compromised. That is
872 why the study -- as a result of this cable.

873 Besides counterterrorism and other security concerns,
874 the U.S. may benefit from trade and investment and countering
875 China in the region. This amendment would ensure the private
876 sector has information from the NTIA to evaluate whether this
877 is a good investment on this project. Before we embark on

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878 large projects of this scale, a study should be warranted.

879 And I want to again thank the Delegate Plaskett from
880 Virgin Islands for working with me on this issue.

881 Mr. Chairman, I urge passage of this amendment.

882 I yield back.

883 *Mr. Latta. Thank you very much.

884 The gentleman yields back. Is there any other -- and
885 further discussion on the AINS?

886 Hearing that there is no further discussion on the AINS,
887 all those in favor shall signify by saying aye.

888 All those opposed, nay.

889 The ayes have it, and the AINS is agreed to.

890 The question now occurs on forwarding H.R. 3385, as
891 amended, to the full committee.

892 All those in favor will signify by saying aye?

893 Those opposed, no.

894 The ayes have it, and the bill is agreed to.

895 The chair calls up 3369, and asks the clerk to report.

896 *The Clerk. H.R. 3369, a bill to direct the Assistant
897 Secretary of Commerce for Communications and Information to
898 conduct a study and hold public meetings with respect to
899 artificial intelligence systems, and for other purposes.

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900 *Mr. Latta. Without objection, the first reading of the
901 bill is dispensed with, and the bill will be open for
902 amendment at any point.

903 So ordered.

904

905

906 [The bill follows:]

907

908 *****COMMITTEE INSERT*****

909

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910 *Mr. Latta. Does any member seek to be recognized on
911 the bill?

912 For what purpose does the gentleman from California seek
913 recognition?

914 *Mr. Obernolte. Mr. Chairman, I have an amendment in
915 the nature of a substitute at the desk.

916 *Mr. Latta. Does -- would the gentleman tell the clerk
917 what the amendment number is, please?

918 *Mr. Obernolte. It is amendment No. 1.

919 *Mr. Latta. The clerk will report the amendment.

920 *The Clerk. Amendment in the nature of a substitute to
921 H.R. 3369, offered by Mr. Obernolte of California.

922 Strike all --

923 *Mr. Latta. Without objection, the reading of the
924 amendment is dispensed with.

925 [The amendment of Mr. Obernolte follows:]

926

927 *****COMMITTEE INSERT*****

928

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929 *Mr. Latta. And the gentleman is recognized to strike
930 the last word for five minutes.

931 *Mr. Obernolte. Thank you, Mr. Chairman. I rise in
932 proud support of this bill that would direct the Assistant
933 Secretary of Commerce to conduct a study with academia and
934 representatives of industry on how to enhance the
935 accountability of AI systems as they relate to communications
936 networks.

937 Enhancing these -- the accountability of these systems
938 is a meaningful step in reducing the risks that they pose to
939 consumers and to society at large, and I think it is a very
940 worthwhile step that is worthy of everyone's support.

941 This amendment in the nature of a substitute
942 incorporates feedback from industry and from stakeholders,
943 and I think it improves the bill. I would respectfully urge
944 its adoption.

945 I yield back.

946 *Mr. Latta. Thank you very much. The gentleman yields
947 back. Is there any further discussion on the gentleman's
948 AINS?

949 Hearing none, all those in favor of adopting the AINS
950 will signify by saying aye.

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951 Those opposed, no.

952 The ayes have it, and the AINS is agreed to.

953 Is there any further discussion?

954 For what purpose does the gentleman from California wish
955 to be recognized?

956 *Mr. Obernolte. Mr. Chairman, I have an amendment at
957 the desk designated Obernolte 033.

958 *Mr. Latta. The clerk will read the -- report the
959 amendment, please.

960 *The Clerk. Amendment to the amendment in the nature of
961 a substitute to H.R. 3369, offered by Mr. Obernolte of
962 California.

963 Page 3, strike lines 9 --

964 *Mr. Latta. Without objection, the reading of the
965 amendment is dispensed with, and the gentleman is recognized
966 for five minutes to discuss his amendment.

967 *Mr. Obernolte. Thank you very much, Mr. Chairman.
968 This amendment adds a definition of the word "trustworthy"
969 to the bill.

970 The bill defines an accountability system as a mechanism
971 for enhancing the trustworthiness of AI, but the bill doesn't
972 define what "trustworthy" means. I think it is important

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973 that we be very specific when we talk about what our
974 objectives are, and the trustworthiness of AI is something
975 that has been a subject of hot debate both in industry and in
976 academia. I think it is reasonable that we try to define
977 exactly what we mean when we say AI is "trustworthy."

978 The amendment that I am offering uses language from the
979 NIST framework to define the term "trustworthy." I think it
980 improves the bill.

981 However, we did not get this done in time to include it
982 in the bipartisan ANS [sic] that I just offered. Out of
983 respect for the bipartisan process and a desire to -- for --
984 that this bill move forward in a bipartisan fashion, I am
985 going to withdraw my amendment, but I would urge its
986 inclusion when we consider this bill in full committee.

987 I yield back.

988 *Mr. Latta. Thank you very much. The gentleman
989 withdraws his amendment. Is there any further discussion on
990 the AINS?

991 Hearing none, the question now occurs on forwarding
992 3369, as amended, to the full committee.

993 All those in favor will signify by saying aye.

994 Those opposed, no.

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995 The ayes have it, and the bill is agreed to.

996 Without objection, staff is authorized to make technical
997 and conforming changes to the legislation approved by the
998 subcommittee today.

999 So ordered.

1000 I would just like to first, again, thank our staff for
1001 the great work they have done on all of these bills and
1002 getting to the point where we are today, again dealing with
1003 NTIA and about a 31-year hiatus from not being out there. It
1004 is -- we have disposed of everything in less than 50 minutes,
1005 so I think that is great work on -- by the committee staff
1006 and also by the committee members.

1007 [Applause.]

1008 *Mr. Latta. So congratulations, and thank you very
1009 much.

1010 Without objection, the subcommittee stands adjourned.

1011 [Whereupon, at 10:49 a.m., the subcommittee was
1012 adjourned.]