

## Union Calendar No.

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3919

[Report No. 117-]

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

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 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 **CESS 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.”.