

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3344
OFFERED BY M . _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Transatlantic Tele-
3 communications Security Act”.

4 SEC. 2. SENSE OF CONGRESS; STATEMENT OF POLICY.

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) fifth and future generation’s telecommuni-
8 cation networks in allied and partner countries
9 based on common, secure, transparent, democratic
10 standards have the potential to increase cultural, po-
11 litical, and economic exchanges leading to mutual
12 job creation, closer citizen relations, and stronger
13 democratic institutions;

14 (2) Russia’s unprovoked, unjustified, and illegal
15 invasion of Ukraine and the People’s Republic of
16 China’s tacit support for Russian Federation’s ac-
17 tions demonstrate the importance of secure tele-

1 communication infrastructure in Central and East-
2 ern European nations;

3 (3) the United States has national security and
4 economic interests in assisting Central and Eastern
5 European countries to improve the security of their
6 telecommunication networks by reducing dependence
7 on covered telecommunication equipment or services
8 that are often offered with predatory economic in-
9 ducements and replacing them with secure tele-
10 communication equipment or services;

11 (4) China's Belt and Road Initiative and the
12 17+1 Initiative seek to undermine Central and
13 Eastern Europe's infrastructure resilience and sov-
14 ereignty through predatory inducements from state-
15 linked providers of telecommunication equipment or
16 services such as Huawei Technologies Company and
17 ZTE Corporation;

18 (5) China's 2017 National Intelligence Law ob-
19 ligates Chinese businesses to fully cooperate with
20 state intelligence work, and thereby compromises the
21 integrity of any network that utilizes equipment
22 from Chinese companies because providers could be
23 forced to hand over sensitive data or shut down net-
24 works at the command of China;

1 (6) Russia's campaign to elect a Russian na-
2 tional, who is a former Huawei Technologies Com-
3 pany executive, to serve as the Secretary-General of
4 the International Telecommunication Union (ITU) is
5 indicative of China and Russia's efforts to use inter-
6 national organizations to promote their interests and
7 their malign influence;

8 (7) at global fora such as the ITU, the United
9 States Government should actively support can-
10 didates that espouse democratic values, internet
11 freedoms, and secure telecommunication networks;

12 (8) the United States International Develop-
13 ment Finance Corporation's development priorities,
14 as described in section 1412 of the Better Utiliza-
15 tion of Investments Leading to Development Act of
16 2018, properly includes a focus on less developed
17 countries;

18 (9) the United States should assemble a coali-
19 tion of democratic and like-minded allies and part-
20 ners to counter the rise of global malign actors such
21 as China and Russia and build resilience in Central
22 and Eastern Europe against malign influences; and

23 (10) in order to ensure robust military coordi-
24 nation and interoperability with the North Atlantic
25 Treaty Organization (NATO) and transatlantic al-

1 lies and partners, the United States should ensure
2 that allies and partners' telecommunication networks
3 are secure and free from potential threats in accord-
4 ance with the 2019 NATO London Declaration.

5 (b) STATEMENT OF POLICY.—It is the policy of the
6 United States—

7 (1) to strengthen the transatlantic alliance
8 based on shared values in the face of rising malign
9 influence from the People's Republic of China and
10 the Russian Federation, countries that seek to un-
11 dermine democratic institutions and values;

12 (2) to encourage public and private sector in-
13 vestment in European telecommunication infrastruc-
14 ture projects to ensure secure telecommunication
15 and to catalyze economic advancement through the
16 highest standards of transparency, accessibility, and
17 competition;

18 (3) to provide economically feasible alternatives
19 to financing from providers of covered telecommuni-
20 cation equipment or services;

21 (4) to engage in diplomacy with European allies
22 and partners to strengthen the United States and
23 European private sector efforts to develop common
24 telecommunication technology and industry stand-
25 ards, and in turn promote them globally;

1 (5) to support the Three Seas Initiative orga-
2 nized by 12 Central and Eastern European countries
3 of the European Union to increase infrastructure re-
4 siliency and reduce reliance on malign actors, includ-
5 ing in the telecommunication space;

6 (6) to enhance telecommunication security and
7 freedom around the globe by engaging in elections at
8 the ITU and promoting the candidacies of individ-
9 uals that will promote democratic values, the rule of
10 law, technological freedoms, and telecommunication
11 security;

12 (7) to support the people of Ukraine, Moldova,
13 Georgia, and the Western Balkan countries in their
14 desire for integration into Euro-Atlantic institutions
15 and economies through enhanced cross-border tele-
16 communication infrastructure connectivity. and

17 (8) to ensure that frontline NATO allies have
18 telecommunication services that cannot be controlled
19 by China or Russia, especially considering Russia's
20 illegal and unjustifiable invasion of Ukraine.

21 **SEC. 3. INTERNATIONAL TELECOMMUNICATION UNION SE-**
22 **CURITY CAMPAIGN DIRECTOR.**

23 (a) APPOINTMENT.—Not later than 30 days after the
24 date of the enactment of this Act, the Secretary of State
25 shall appoint, from among existing personnel of the De-

1 partment of State, an International Telecommunication
2 Union Security Campaign Director (in this section re-
3 ferred to as the “Director”).

4 (b) DUTIES.—The Director shall—

5 (1) serve lead efforts to promote candidates for
6 elections at the International Telecommunication
7 Union (ITU) who will support and defend demo-
8 cratic values, internet freedom, and telecommuni-
9 cation security;

10 (2) coordinate with other officials of the De-
11 partment of State, the Department of Commerce,
12 the Federal Communications Commission, and other
13 Federal departments and agencies to ensure efforts
14 described in paragraph (1) are carried out in an or-
15 ganized, nimble, efficient, and effective manner;

16 (3) work with stakeholders in the private sector
17 to harmonize efforts and to galvanize focus on elec-
18 tions at the ITU;

19 (4) use diplomatic tools of the Department of
20 State to bolster support for candidates for elections
21 at the ITU who will support and defend democratic
22 values, internet freedom, and telecommunication se-
23 curity;

24 (5) brief Congress regularly on the implementa-
25 tion of the duties described in paragraphs (1)

1 through (4) and, if appropriate, on requests for ad-
2 ditional legislative authority necessary to enhance
3 telecommunication security and freedom around the
4 globe as described in section 2(b)(6); and

5 (6) report to the Assistant Secretary of State
6 for International Organization Affairs regularly on
7 development, progress, or setbacks with respect to
8 support to the people of Ukraine, Moldova, Georgia,
9 and the Western Balkan countries as described in
10 section 2(b)(7).

11 (c) SUNSET.—This section shall terminate on Octo-
12 ber 31, 2022.

13 **SEC. 4. PRIORITIZATION OF EFFORTS AND ASSISTANCE**
14 **FOR TELECOMMUNICATION INFRASTRUC-**
15 **TURE PROJECTS IN CENTRAL AND EASTERN**
16 **EUROPE.**

17 (a) IN GENERAL.—In carrying out the policy de-
18 scribed in section 2(b), the Secretary of State, in consulta-
19 tion with the Secretary of Commerce, the Chief Executive
20 Officer of the United States International Development
21 Finance Corporation, the Director of the Trade and Devel-
22 opment Agency, the head of the Federal Communications
23 Commission, and the heads of other relevant Federal de-
24 partments and agencies, shall, as appropriate, prioritize
25 and expedite the efforts of the Department of State and

1 those departments and agencies in supporting the efforts
2 of the European Commission and the governments of Cen-
3 tral and Eastern European countries to improve the secu-
4 rity of their telecommunication networks, including
5 through providing diplomatic and political support to the
6 European Commission and Central and Eastern European
7 countries, as necessary—

8 (1) to ensure European telecommunication net-
9 works are built securely, consistent with democratic
10 values and principles such as privacy, including
11 through early-stage project support and late-stage
12 project support for the construction or improvement
13 of telecommunication and related infrastructure;

14 (2) to remove covered telecommunication equip-
15 ment or services and replace such equipment or serv-
16 ices with secure telecommunication equipment or
17 services;

18 (3) to support the development of telecommuni-
19 cation networks that are inclusive, transparent, eco-
20 nomically viable, financially, environmentally, and
21 socially sustainable, compliant with international
22 standards, laws, and regulations, and supplied by
23 providers of secure telecommunication equipment or
24 services; and

1 (4) to facilitate international coordination on
2 cross-border telecommunication infrastructure con-
3 struction and security standards to ensure cross-bor-
4 der telecommunications are secure.

5 (b) PROJECT SELECTION.—

6 (1) IN GENERAL.—The Secretary of State, the
7 Chief Executive Officer of the United States Inter-
8 national Development Finance Corporation, and the
9 Director of the Trade and Development Agency shall
10 jointly identify telecommunication infrastructure
11 projects that would advance the United States na-
12 tional security and be appropriate for United States
13 assistance under this section.

14 (2) PROJECT ELIGIBILITY.—A project is eligible
15 for United States assistance under this section if—

16 (A) the project—

17 (i) improves telecommunication net-
18 works through either hard infrastructure,
19 such as telecommunication lines, towers,
20 antennas, or other equipment, or soft in-
21 frastructure, such as innovative software
22 development or cloud services;

23 (ii) is inclusive, transparent, economi-
24 cally viable, financially, environmentally,
25 and socially sustainable, compliant with

1 international standards, laws, and regula-
2 tions, and supplied with secure tele-
3 communication equipment or services solely
4 by providers of secure telecommunication
5 equipment or services; and

6 (iii) does not use covered tele-
7 communication equipment or services or
8 removes covered telecommunication equip-
9 ment or services and replaces such equip-
10 ment or services with secure telecommuni-
11 cation equipment or services; and

12 (B) the project is located in a covered
13 country.

14 (3) PREFERENCE.—In selecting among projects
15 that are eligible under paragraph (2), the heads of
16 the Federal departments and agencies specified in
17 subsection (a) shall give preference to projects
18 that—

19 (A) are located in Ukraine;

20 (B) can attract funding from the private
21 sector, an international financial institution, the
22 government of the country in which the project
23 will be carried out, or the European Commis-
24 sion;

1 (C) have been designated as available for
2 funding through the Three Seas Initiative In-
3 vestment Fund;

4 (D) are to be carried out in the Three Seas
5 Initiative member nations;

6 (E) are to be carried out in NATO mem-
7 ber states that meet or are making progress to-
8 ward meeting their commitments to upholding
9 the rule of law and preserving democratic insti-
10 tutions in accordance with the preamble and
11 Article 2 of the North Atlantic Treaty;

12 (F) are to be carried out in NATO mem-
13 ber states that meet or are making demon-
14 strable progress toward meeting their defense
15 spending commitments in accordance with the
16 2014 NATO Wales Summit Declaration; or

17 (G) have the potential to advance United
18 States economic interests.

19 (c) TYPES OF ASSISTANCE.—

20 (1) DIPLOMATIC AND POLITICAL SUPPORT.—

21 The Secretary of State shall provide diplomatic and
22 political support to the covered countries, as nec-
23 essary, including by using the diplomatic and polit-
24 ical influence and expertise of the Department of
25 State to build the capacity of covered countries to

1 resolve any impediments to the development of
2 projects selected under subsection (b).

3 (2) INTERNATIONAL FINANCIAL INSTITUTIONS
4 SUPPORT.—The Secretary of State shall seek to en-
5 courage international financial institutions, including
6 the European Bank for Reconstruction and Develop-
7 ment, the European Investment Bank, and the
8 International Monetary Fund, the Foreign, Com-
9 monwealth, and Development Office of the Govern-
10 ment of the United Kingdom, the Agency for Inter-
11 national Cooperation of the Government of Ger-
12 many, and the Development Agency of the Govern-
13 ment of France to invest in telecommunication infra-
14 structure resilience in Central and Eastern Europe.

15 (3) EARLY-STAGE PROJECT SUPPORT.—The Di-
16 rector of the Trade and Development Agency shall
17 provide early-stage project support with respect to
18 projects selected under subsection (b), as necessary.

19 (4) LATE-STAGE PROJECT SUPPORT.—The
20 heads of the Federal departments and agencies spec-
21 ified in subsection (a) that provide late-stage project
22 support shall do so, with respect to projects selected
23 under subsection (b), as necessary.

24 (5) UNITED STATES INTERNATIONAL DEVELOP-
25 MENT FINANCE CORPORATION SUPPORT.—The

1 United States International Development Finance
2 Corporation is authorized to provide support for
3 projects under this section in covered countries that
4 are countries with upper-middle-income economies or
5 high-income economies (as those terms are defined
6 by the International Bank for Reconstruction and
7 Development and the International Development As-
8 sociation (collectively referred to as the “World
9 Bank”)), notwithstanding the restriction contained
10 in section 1412(c)(2) of the Better Utilization of In-
11 vestments Leading to Development Act of 2018 (22
12 U.S.C. 9612(c)(2)).

13 **SEC. 5. REPORT.**

14 (a) IN GENERAL.—Not later than 1 year after the
15 date of the enactment of this Act, and annually thereafter
16 for 5 years, the President shall submit to the appropriate
17 congressional committees a report on the progress made
18 in providing assistance for projects under section 4 that
19 includes—

20 (1) a description of the telecommunications in-
21 frastructure projects the United States has identi-
22 fied for such assistance; and

23 (2) for each such project—

1 (A) a description of the role of the United
2 States in the project, including in early-stage
3 project support and late-stage project support;

4 (B) the amount and form of debt financ-
5 ing, equity financing, and insurance provided by
6 the United States Government, the Three Seas
7 Initiative Investment Fund, and international
8 financial institutions, including the European
9 Bank for Reconstruction and Development, the
10 European Investment Bank, and the Inter-
11 national Monetary Fund, the Foreign, Com-
12 monwealth, and Development Office of the Gov-
13 ernment of the United Kingdom, the Agency for
14 International Cooperation of the Government of
15 Germany, and the Development Agency of the
16 Government of France for the project;

17 (C) the contractual terms of the project
18 that preclude the use of covered telecommuni-
19 cation equipment or services and steps taken to
20 ensure providers of telecommunication equip-
21 ment or services meet such contractual terms;
22 and

23 (D) an update on the progress made on
24 the project as of the date of the report.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Committee on Appropriations of the House of Rep-
6 resentatives; and

7 (2) the Committee on Foreign Relations and
8 the Committee on Appropriations of the Senate.

9 **SEC. 6. DEFINITIONS.**

10 In this Act: —

11 (1) COVERED COUNTRY.—The term “covered
12 country” includes—

13 (A) any member state of the North Atlan-
14 tic Treaty Organization that shares a border
15 with the Russian Federation; and

16 (B) any European country that—

17 (i) has not participated or aided in
18 Russia’s invasion of Ukraine, and

19 (ii) according to World Bank official
20 data for 2020, has a Gross Domestic Prod-
21 uct per capita, adjusted for purchasing
22 power parity, of less than \$34,000.

23 (2) COVERED TELECOMMUNICATION EQUIP-
24 MENT OR SERVICES.—The term “covered tele-

1 communication equipment or services” means any of
2 the following: —

3 (A) Telecommunication equipment or serv-
4 ices produced or provided by Huawei Tech-
5 nologies Company or ZTE Corporation (or any
6 subsidiary or affiliate of such entities).

7 (B) Telecommunication equipment or serv-
8 ices produced or provided by an entity that the
9 Secretary of State, in consultation with the Di-
10 rector of National Intelligence, reasonably be-
11 lieves to be an entity owned or controlled by, or
12 otherwise connected to, the People’s Republic of
13 China or the Russian Federation.

14 (3) EARLY-STAGE PROJECT SUPPORT.—The
15 term “early-stage project support” includes—

16 (A) feasibility studies;

17 (B) resource evaluations;

18 (C) project appraisal and costing;

19 (D) pilot projects;

20 (E) commercial support, such as trade
21 missions, reverse trade missions, technical
22 workshops, international buyer programs, and
23 international partner searchers to link suppliers
24 to projects;

1 (F) technical assistance and other guid-
2 ance to improve the local regulatory environ-
3 ment and market frameworks to encourage
4 transparent competition and enhance tele-
5 communication security; and

6 (G) long-term telecommunication sector
7 planning.

8 (4) LATE-STAGE PROJECT SUPPORT.—The term
9 “late-stage project support” includes debt financing,
10 equity financing, insurance, and transaction advisory
11 services.

12 (5) SECURE TELECOMMUNICATION EQUIPMENT
13 OR SERVICES.—The term “secure telecommunication
14 equipment or services” means telecommunication
15 equipment or services that are not, and do not con-
16 tain, covered telecommunication equipment or serv-
17 ices.

