

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4067
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 “Communications Secu-
3 rity, Reliability, and Interoperability Council Act”.

4 **SEC. 2. COUNCIL ON COMMUNICATIONS SECURITY, RELI-**
5 **ABILITY, AND INTEROPERABILITY.**

6 (a) **ESTABLISHMENT.**—Not later than 90 days after
7 the date of the enactment of this Act, the Commission
8 shall establish a council, to advise the Commission on
9 issues including the security, reliability, and interoper-
10 ability of communications networks.

11 (b) **MEMBERSHIP.**—

12 (1) **APPOINTMENT.**—The members of the coun-
13 cil shall be appointed by the Chair.

14 (2) **COMPOSITION.**—To the extent practicable,
15 the membership of the council shall be composed of
16 the following:

17 (A) Representatives of companies in the
18 communications industry, except companies

1 that are determined by the Chair to be not
2 trusted.

3 (B) Representatives of public interest orga-
4 nizations or academic institutions, except public
5 interest organizations or academic institutions
6 that are determined by the Chair to be not
7 trusted.

8 (C) Representatives of the Federal Govern-
9 ment, State governments, local governments, or
10 Tribal Governments, with at least one member
11 representing each such type of government.

12 (3) KNOWLEDGE AND EXPERIENCE.—Each
13 member of the council shall have knowledge and ex-
14 perience relevant to the purpose and goals of the
15 council.

16 (4) TERMS.—

17 (A) IN GENERAL.—Each member of the
18 council shall be appointed for a term of 2 years,
19 except as provided in subparagraph (B).

20 (B) VACANCIES.—Any member appointed
21 to fill a vacancy occurring before the expiration
22 of the term for which the member's predecessor
23 was appointed shall be appointed only for the
24 remainder of that term. A member may serve

1 after the expiration of that member's term until
2 a successor has taken office.

3 (c) REPORTS.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date on which the council is established under
6 subsection (a), and every 2 years thereafter, the
7 council shall submit to the Chair each report adopt-
8 ed by the council during the preceding 2-year period,
9 and any report adopted by any working group of the
10 council during such period, including any such re-
11 port of the council or a working group containing
12 recommendations on ways to increase the security,
13 reliability, and interoperability of communications
14 networks, and on other relevant issues as appro-
15 priate.

16 (2) AVAILABILITY ON COMMISSION WEBSITE.—

17 The Commission shall make each report submitted
18 under paragraph (1) publicly available on the
19 website of the Commission.

20 (d) DURATION.—Section 14(a)(2)(B) of the Federal
21 Advisory Committee Act (5 U.S.C. App.; relating to the
22 termination of advisory committees) shall not apply to the
23 council.

24 (e) DEFINITIONS.—In this section:

1 (1) CHAIR.—The term “Chair” means the
2 Chair of the Commission.

3 (2) COMMISSION.—The term “Commission”
4 means the Federal Communications Commission.

5 (3) COUNCIL.—The term “council” means the
6 council established under subsection (a).

7 (4) NOT TRUSTED.—

8 (A) IN GENERAL.—The term “not trusted”
9 means, with respect to an entity, that—

10 (i) the Chair has made a public deter-
11 mination that such entity is owned by, con-
12 trolled by, or subject to the influence of a
13 foreign adversary; or

14 (ii) the Chair otherwise determines
15 that such entity poses a threat to the na-
16 tional security of the United States.

17 (B) CRITERIA FOR DETERMINATION.—In
18 making a determination under subparagraph
19 (A)(ii), the Chair shall use the criteria de-
20 scribed in paragraphs (1) through (4) of section
21 2(c) of the Secure and Trusted Communica-
22 tions Networks Act of 2019 (47 U.S.C.
23 1601(c)), as appropriate.

1 (5) STATE.—The term “State” has the mean-
2 ing given such term in section 3 of the Communica-
3 tions Act of 1934 (47 U.S.C. 153).

