

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 4510  
OFFERED BY MS. MATSUI OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “National Telecommunications and Information Adminis-  
4 tration Reauthorization Act of 2023” or the “NTIA Reau-  
5 thorization Act of 2023”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—REAUTHORIZATION**

Sec. 101. Reauthorization of the National Telecommunications and Information  
Administration Organization Act.

Sec. 102. NTIA Consolidated Reporting Act.

**TITLE II—OFFICE OF SPECTRUM MANAGEMENT**

Sec. 201. Office of Spectrum Management.

Sec. 202. Improving spectrum management.

Sec. 203. Spectrum management improvements.

Sec. 204. Institute for Telecommunication Sciences.

Sec. 205. Commerce Spectrum Management Advisory Committee.

Sec. 206. Incumbent informing capability.

Sec. 207. Voluntary criteria, standards, ratings, and other measures for certain  
radio receivers.

**TITLE III—OFFICE OF INTERNET CONNECTIVITY AND GROWTH**

Sec. 301. National Strategy to Close Digital Divide.

TITLE IV—OFFICE OF POLICY DEVELOPMENT AND  
CYBERSECURITY

- Sec. 401. Office of Policy Development and Cybersecurity.
- Sec. 402. Economic competitiveness of information and communication technology supply chain.
- Sec. 403. Digital Economy and Cybersecurity Board of Advisors.
- Sec. 404. Cybersecurity literacy.
- Sec. 405. Understanding cybersecurity of mobile networks.
- Sec. 406. Open RAN outreach.

TITLE V—OFFICE OF PUBLIC SAFETY COMMUNICATIONS

- Sec. 501. Establishment of the Office of Public Safety Communications.

TITLE VI—OFFICE OF INTERNATIONAL AFFAIRS

- Sec. 601. Office of International Affairs.
- Sec. 602. Establishment of interagency national security review process.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

5 (2) NTLA.—The term “NTLA” means the Na-  
6 tional Telecommunications and Information Admin-  
7 istration.

8 (3) UNDER SECRETARY.—The term “Under  
9 Secretary” means the Under Secretary of Commerce  
10 for Communications and Information.

11 **TITLE I—REAUTHORIZATION**

12 **SEC. 101. REAUTHORIZATION OF THE NATIONAL TELE-**  
13 **COMMUNICATIONS AND INFORMATION AD-**  
14 **MINISTRATION ORGANIZATION ACT.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
16 151 of the National Telecommunications and Information  
17 Administration Organization Act is amended by striking

1 “\$17,600,000 for fiscal year 1992 and \$17,900,000 for  
2 fiscal year 1993” and inserting “\$62,000,000 for fiscal  
3 year 2024 and \$62,000,000 for fiscal year 2025”.

4 (b) UNDER SECRETARY OF COMMERCE FOR COMMU-  
5 NICATIONS AND INFORMATION.—

6 (1) UNDER SECRETARY; DEPUTY UNDER SEC-  
7 RETARY.—

8 (A) UNDER SECRETARY.—The National  
9 Telecommunications and Information Adminis-  
10 tration Organization Act (47 U.S.C. 901 et seq)  
11 is amended by striking “Assistant Secretary”  
12 each place it appears and inserting “Under Sec-  
13 retary”.

14 (B) DEPUTY UNDER SECRETARY.—Section  
15 103(a) of the National Telecommunications and  
16 Information Administration Organization Act  
17 (47 U.S.C. 902(a)), as amended by this section,  
18 is amended by adding at the end the following:

19 “(3) DEPUTY UNDER SECRETARY.—The Dep-  
20 uty Under Secretary of Commerce for Communica-  
21 tions and Information shall—

22 “(A) be the principal policy advisor of the  
23 Under Secretary;

1           “(B) perform such other functions as the  
2           Under Secretary shall from time to time assign  
3           or delegate; and

4           “(C) act as Under Secretary during the  
5           absence or disability of the Under Secretary or  
6           in the event of a vacancy in the office of the  
7           Under Secretary.”.

8           (2) CONTINUATION OF CIVIL ACTIONS.—This  
9           subsection, and the amendments made by this sub-  
10          section, shall not abate any civil action commenced  
11          by or against the Assistant Secretary of Commerce  
12          for Communications and Information before the date  
13          of the enactment of this Act, except that the Under  
14          Secretary shall be substituted as a party to the ac-  
15          tion on and after such date.

16          (3) CONTINUATION IN OFFICE.—The individual  
17          serving as the Assistant Secretary of Commerce for  
18          Communications and Information and the individual  
19          serving as the Deputy Assistant Secretary of Com-  
20          merce for Communications and Information on the  
21          day before the date of the enactment of this Act may  
22          serve as the Under Secretary and the Deputy Under  
23          Secretary of Commerce for Communications and In-  
24          formation, respectively, on and after that date with-  
25          out the need for renomination or reappointment.

1           (4) REFERENCES.—Any reference in a law, reg-  
2           ulation, document, paper, or other record of the  
3           United States to the Assistant Secretary of Com-  
4           merce for Communications and Information shall, on  
5           and after the date of the enactment of this Act, be  
6           deemed to be a reference to the Under Secretary.

7           (5) EXECUTIVE SCHEDULE.—

8           (A) IN GENERAL.—Subchapter II of chap-  
9           ter 53 of title 5, United States Code, is amend-  
10          ed—

11                   (i) in section 5314, by adding at the  
12                   end the following:

13                   “Under Secretary of Commerce for Commu-  
14                   nications and Information.”; and

15                   (ii) in section 5315, in the item relat-  
16                   ing to the Assistant Secretaries of Com-  
17                   merce, by striking “(11)” and inserting  
18                   “(10)”.

19           (B) EFFECTIVE DATE.—The amendment  
20           made by subparagraph (A) (establishing the an-  
21           nual rate of the basic pay of the Under Sec-  
22           retary) shall take effect on the first day of the  
23           first pay period beginning after the date of the  
24           enactment of this Act.

25          (c) AUTHORITIES AND RESPONSIBILITIES.—

1           (1) COORDINATION OF EXECUTIVE BRANCH  
2           VIEWS ON MATTERS BEFORE THE FEDERAL COMMU-  
3           NICATIONS COMMISSION.—Section 105(a)(1) of the  
4           National Telecommunications and Information Ad-  
5           ministration Organization Act (47 U.S.C. 904(a)(1))  
6           is amended—

7                   (A) by striking “to ensure that the con-  
8                   duct” and inserting the following: “to ensure  
9                   that—

10                           “(A) the conduct”;

11                           (B) in subparagraph (A), as so redesign-  
12                           nated, by striking the period at the end and in-  
13                           serting “; and”; and

14                           (C) by adding at the end the following:

15                           “(B) the views of the executive branch on  
16                           matters presented to the Commission are, con-  
17                           sistent with section 103(b)(2)(J)—

18                                   “(i) appropriately coordinated; and

19                                   “(ii) reflective of executive branch pol-  
20                                   icy.”.

21           (2) MODERNIZATION OF AGENCY MISSION.—

22                   (A) POLICY.—Section 102(c) of the Na-  
23                   tional Telecommunications and Information Ad-  
24                   ministration Organization Act (47 U.S.C.

1           901(c)) is amended by adding at the end the  
2           following:

3           “(6) Fostering the digital economy of the  
4           United States in order to ensure the competitive-  
5           ness, future economic growth, and security of the  
6           United States.

7           “(7) Working to ensure that global communica-  
8           tions networks remain open and innovative, includ-  
9           ing without inappropriate barriers to entry or oper-  
10          ation.

11          “(8) With respect to the United States, in co-  
12          ordination with the Commission, achieving the uni-  
13          versal availability of and access to telecommuni-  
14          cations service and information service (as those  
15          terms are defined in section 3 of the Communica-  
16          tions Act of 1934) and any technology related to  
17          such service.”.

18                 (B)     ASSIGNED     FUNCTIONS.—Section  
19                 103(b)(2) of the National Telecommunications  
20                 and Information Administration Organization  
21                 Act (47 U.S.C. 902(b)(2)) is amended—

22                         (i) in the matter preceding subpara-  
23                         graph (A), by inserting “, some of which  
24                         were” before “transferred to the Sec-  
25                         retary”;

1 (ii) in subparagraph (H)—

2 (I) by inserting “and informa-  
3 tion” after “telecommunications”; and

4 (II) by striking “and emergency  
5 readiness” and inserting “emergency  
6 readiness, the flow of information,  
7 and with respect to the United States,  
8 in coordination with the Commission,  
9 the universal availability of and access  
10 to telecommunications service and in-  
11 formation service (as those terms are  
12 defined in section 3 of the Commu-  
13 nications Act of 1934) and any tech-  
14 nology related to such service”;

15 (iii) in subparagraph (M), by inserting  
16 “, publish reports,” after “studies”; and

17 (iv) by inserting at the end the fol-  
18 lowing:

19 “(V) The authority to conduct studies,  
20 publish reports, and make recommendations—

21 “(i) on any Federal, State, local, or  
22 private policy or practice relating to com-  
23 munications, information, or the digital  
24 economy of the United States; and



1           “(ii) that consider interoperability,  
2           privacy, security, spectrum use, emergency  
3           readiness, the flow of information, and  
4           with respect to the United States, in co-  
5           ordination with the Commission, the uni-  
6           versal availability of and access to tele-  
7           communications service and information  
8           service (as those terms are defined in sec-  
9           tion 3 of the Communications Act of 1934)  
10          and any technology related to such serv-  
11          ice.”.

12           (3) RULE OF CONSTRUCTION.—Nothing in the  
13          amendments made by paragraphs (1) and (2) may  
14          be construed to expand or contract the authority of  
15          the Commission.

16          (d) ACCEPTANCE OF GIFTS AND BEQUESTS FOR THE  
17          UNDER SECRETARY.—The Under Secretary is hereby au-  
18          thorized to accept, hold, administer, and utilize gifts and  
19          bequests of property, both real and personal, for the pur-  
20          pose of aiding or facilitating the work of the NTIA. Gifts  
21          and bequests of money and the proceeds from sales of  
22          other property received as gifts or bequests shall be depos-  
23          ited in the Treasury in a separate fund and shall be dis-  
24          bursed upon order of the Under Secretary. Property ac-  
25          cepted pursuant to this provision, and the proceeds there-

1 of, shall be used as nearly as possible in accordance with  
2 the terms of the gift or bequest.

3 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) PUBLIC TELECOMMUNICATIONS FINANCING  
5 ACT OF 1978.—Section 106(c) of the Public Tele-  
6 communications Financing Act of 1978 (5 U.S.C.  
7 5316 note; Public Law 95–567) is amended by strik-  
8 ing “The position of Deputy Assistant Secretary of  
9 Commerce for Communications and Information es-  
10 tablished in Department of Commerce Organization  
11 Order Numbered 10–10 (effective March 26,  
12 1978),” and inserting “The position of Deputy  
13 Under Secretary of Commerce for Communications  
14 and Information, established under section 103(a) of  
15 the National Telecommunications and Information  
16 Administration Organization Act (47 U.S.C.  
17 902(a)),”.

18 (2) COMMUNICATIONS ACT OF 1934.—Section  
19 344(d)(2) of the Communications Act of 1934 (47  
20 U.S.C. 344(d)(2)) is amended by striking “Assistant  
21 Secretary” and inserting “Under Secretary”.

22 (3) HOMELAND SECURITY ACT OF 2002.—Sec-  
23 tion 1805(d)(2) of the Homeland Security Act of  
24 2002 (6 U.S.C. 575(d)(2)) is amended by striking  
25 “Assistant Secretary for Communications and Infor-

1       mation of the Department of Commerce” and insert-  
2       ing “Under Secretary of Commerce for Communica-  
3       tions and Information”.

4               (4) AGRICULTURE IMPROVEMENT ACT OF  
5       2018.—Section 6212 of the Agriculture Improvement  
6       Act of 2018 (7 U.S.C. 950bb–6) is amended—

7               (A) in subsection (d)(1), in the heading, by  
8       striking “ASSISTANT SECRETARY” and inserting  
9       “UNDER SECRETARY”; and

10              (B) by striking “Assistant Secretary” each  
11       place the term appears and inserting “Under  
12       Secretary”.

13              (5) TITLE 17, UNITED STATES CODE.—Section  
14       1201(a)(1)(C) of title 17, United States Code, is  
15       amended by striking “Assistant Secretary for Com-  
16       munications and Information of the Department of  
17       Commerce” and inserting “Under Secretary of Com-  
18       merce for Communications and Information”.

19              (6) UNLOCKING CONSUMER CHOICE AND WIRE-  
20       LESS COMPETITION ACT.—Section 2(b) of the  
21       Unlocking Consumer Choice and Wireless Competi-  
22       tion Act (17 U.S.C. 1201 note; Public Law 113–  
23       144) is amended by striking “Assistant Secretary  
24       for Communications and Information of the Depart-

1       ment of Commerce” and inserting “Under Secretary  
2       of Commerce for Communications and Information”.

3           (7) COMMUNICATIONS SATELLITE ACT OF  
4       1962.—Section 625(a)(1) of the Communications  
5       Satellite Act of 1962 (47 U.S.C. 763d(a)(1)) is  
6       amended, in the matter preceding subparagraph (A),  
7       by striking “Assistant Secretary” and inserting  
8       “Under Secretary of Commerce”.

9           (8) SPECTRUM PIPELINE ACT OF 2015.—The  
10       Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note;  
11       title X of Public Law 114–74) is amended—

12           (A) in section 1002(1), in the heading, by  
13       striking “ASSISTANT SECRETARY” and inserting  
14       “UNDER SECRETARY”; and

15           (B) by striking “Assistant Secretary” each  
16       place the term appears and inserting “Under  
17       Secretary”.

18           (9) WARNING, ALERT, AND RESPONSE NET-  
19       WORK ACT.—Section 606 of the Warning, Alert, and  
20       Response Network Act (47 U.S.C. 1205) is amend-  
21       ed—

22           (A) by striking “Assistant Secretary” each  
23       place the term appears and inserting “Under  
24       Secretary”; and

1 (B) in subsection (b), in the first sentence,  
2 by striking “for7Communications” and insert-  
3 ing “for Communications”.

4 (10) AMERICAN RECOVERY AND REINVESTMENT  
5 ACT OF 2009.—Section 6001 of the American Recov-  
6 ery and Reinvestment Act of 2009 (47 U.S.C. 1305)  
7 is amended—

8 (A) by striking “Assistant Secretary” each  
9 place the term appears and inserting “Under  
10 Secretary”; and

11 (B) in subsection (d), in the heading, by  
12 striking “ASSISTANT SECRETARY” and insert-  
13 ing “UNDER SECRETARY”.

14 (11) MIDDLE CLASS TAX RELIEF AND JOB CRE-  
15 ATION ACT OF 2012.—Title VI of the Middle Class  
16 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
17 1401 et seq.) is amended—

18 (A) in section 6001 (47 U.S.C. 1401)—

19 (i) by striking paragraph (4);

20 (ii) by redesignating paragraphs (5)  
21 through (32) as paragraphs (4) through  
22 (31), respectively; and

23 (iii) by inserting after paragraph (31),  
24 as so redesignated, the following:

1           “(32) UNDER SECRETARY.—The term ‘Under  
2           Secretary’ means the Under Secretary of Commerce  
3           for Communications and Information.”; and

4                   (B) by striking “Assistant Secretary” each  
5           place the term appears and inserting “Under  
6           Secretary”.

7           (12) RAY BAUM’S ACT OF 2018.—The RAY  
8           BAUM’S Act of 2018 (division P of Public Law  
9           115–141; 132 Stat. 348) is amended by striking  
10          “Assistant Secretary” each place the term appears  
11          and inserting “Under Secretary”.

12          (13) SECURE AND TRUSTED COMMUNICATIONS  
13          NETWORKS ACT OF 2019.—Section 8 of the Secure  
14          and Trusted Communications Networks Act of 2019  
15          (47 U.S.C. 1607) is amended—

16                   (A) in subsection (c)(1), in the heading, by  
17           striking “ASSISTANT SECRETARY” and inserting  
18           “UNDER SECRETARY”; and

19                   (B) by striking “Assistant Secretary” each  
20           place the term appears and inserting “Under  
21           Secretary”.

22          (14) TITLE 51, UNITED STATES CODE.—Section  
23          50112(3) of title 51, United States Code, is amend-  
24          ed, in the matter preceding subparagraph (A), by

1 striking “Assistant Secretary” each place the term  
2 appears and inserting “Under Secretary”.

3 (15) CONSOLIDATED APPROPRIATIONS ACT,  
4 2021.—The Consolidated Appropriations Act, 2021  
5 (Public Law 116–260) is amended—

6 (A) in title IX of division N—

7 (i) in section 902(a)(2), in the head-  
8 ing, by striking “ASSISTANT SECRETARY”  
9 and inserting “UNDER SECRETARY”;

10 (ii) in section 905—

11 (I) in subsection (a)(1), in the  
12 heading, by striking “ASSISTANT SEC-  
13 RETARY” and inserting “UNDER SEC-  
14 RETARY”;

15 (II) in subsection (c)(3)(B), in  
16 the heading, by striking “ASSISTANT  
17 SECRETARY” and inserting “UNDER  
18 SECRETARY”; and

19 (III) in subsection (d)(2)(B), in  
20 the heading, by striking “ASSISTANT  
21 SECRETARY” and inserting “UNDER  
22 SECRETARY”; and

23 (iii) by striking “Assistant Secretary”  
24 each place the term appears and inserting  
25 “Under Secretary”; and

- 1 (B) in title IX of division FF—
- 2 (i) in section 903(g)(2), in the head-
- 3 ing, by striking “ASSISTANT SECRETARY”
- 4 and inserting “UNDER SECRETARY”; and
- 5 (ii) by striking “Assistant Secretary”
- 6 each place the term appears and inserting
- 7 “Under Secretary”.

8 (16) INFRASTRUCTURE INVESTMENT AND JOBS

9 ACT.—The Infrastructure Investment and Jobs Act

10 (Public Law 117–58) is amended—

- 11 (A) in section 27003, by striking “Assist-
- 12 ant Secretary” each place the term appears and
- 13 inserting “Under Secretary”;

14 (B) in division F—

- 15 (i) in section 60102—

16 (I) in subsection (a)(2)(A), by

17 striking “ASSISTANT SECRETARY” and

18 inserting “UNDER SECRETARY”;

19 (II) in subsection (d)(1), by

20 striking “ASSISTANT SECRETARY” and

21 inserting “UNDER SECRETARY”; and

22 (III) in subsection (h)—

23 (aa) in paragraph (1)(B), by

24 striking “ASSISTANT SEC-



1                   RETARY” and inserting “UNDER  
2                   SECRETARY”; and

3                   (bb)           in           paragraph  
4                   (5)(B)(iii), by striking “ASSIST-  
5                   ANT SECRETARY” and inserting  
6                   “UNDER SECRETARY”;

7                   (ii) in title III—

8                   (I) in section 60302(5), by strik-  
9                   ing “ASSISTANT SECRETARY” and in-  
10                  serting “UNDER SECRETARY”; and

11                  (II)           in           section  
12                  60305(d)(2)(B)(ii), by striking “AS-  
13                  SISTANT SECRETARY” and inserting  
14                  “UNDER SECRETARY”;

15                  (iii) in section 60401(a)(2), by strik-  
16                  ing “ASSISTANT SECRETARY” and inserting  
17                  “UNDER SECRETARY”; and

18                  (iv) by striking “Assistant Secretary”  
19                  each place the term appears and inserting  
20                  “Under Secretary”; and

21                  (C) in division J, in title I, in the matter  
22                  under the heading “distance learning, telemedi-  
23                  cine, and broadband program” under the head-  
24                  ing “Rural Utilities Service” under the heading  
25                  “RURAL DEVELOPMENT PROGRAMS”, by

1 striking “Assistant Secretary” and inserting  
2 “Under Secretary”.

3 **SEC. 102. NTIA CONSOLIDATED REPORTING ACT.**

4 (a) ELIMINATION OF CERTAIN OUTDATED OR COM-  
5 PLETED REPORTING REQUIREMENTS.—

6 (1) BTOP QUARTERLY REPORT.—Section  
7 6001(d) of the American Recovery and Reinvestment  
8 Act of 2009 (47 U.S.C. 1305(d)) is amended—

9 (A) in paragraph (2), by striking the semi-  
10 colon at the end and inserting “; and”;

11 (B) in paragraph (3), by striking “; and”  
12 and inserting a period; and

13 (C) by striking paragraph (4).

14 (2) CERTAIN REPORTS REQUIRED BY NATIONAL  
15 TELECOMMUNICATIONS AND INFORMATION ADMINIS-  
16 TRATION ORGANIZATION ACT.—Sections 154, 155,  
17 and 156 of the National Telecommunications and  
18 Information Administration Organization Act are re-  
19 pealed.

20 (3) INITIAL REPORT REQUIRED BY SECTION  
21 9202(a)(1)(G) OF THE NDAA FOR FISCAL YEAR  
22 2021.—Section 9202(a)(1)(G) of the William M.  
23 (Mac) Thornberry National Defense Authorization  
24 Act for Fiscal Year 2021 (47 U.S.C. 906(a)(1)(G))  
25 is amended—

1 (A) in clause (ii), by redesignating sub-  
2 clauses (I), (II), and (III) as clauses (i), (ii),  
3 and (iii), respectively, and conforming the mar-  
4 gins of such clauses accordingly; and

5 (B) by striking “REPORTS TO CONGRESS”  
6 and all that follows through “For each fiscal  
7 year” and inserting “ANNUAL REPORT TO CON-  
8 GRESS.—For each fiscal year”.

9 (4) REPORT TO PRESIDENT.—Section 105(a) of  
10 the National Telecommunications and Information  
11 Administration Organization Act (47 U.S.C. 904(a))  
12 is amended—

13 (A) by striking paragraph (2); and

14 (B) by redesignating paragraph (3) as  
15 paragraph (2).

16 (5) EFFECT ON AUTHORITY.—Nothing in this  
17 subsection or the amendments made by this sub-  
18 section may be construed to expand or contract the  
19 authority of the Secretary, the Under Secretary, the  
20 NTIA, or the Commission.

21 (6) OTHER REPORTS.—Nothing in this sub-  
22 section or the amendments made by this subsection  
23 may be construed to prohibit or otherwise prevent  
24 the Secretary, the Under Secretary, the NTIA, or  
25 the Commission from producing any additional re-

1       ports otherwise within the authority of the Sec-  
2       retary, the Under Secretary, the NTIA, or the Com-  
3       mission, respectively.

4       (b) CONSOLIDATED ANNUAL REPORT.—

5           (1) IN GENERAL.—In the first quarter of each  
6       calendar year, the Under Secretary shall publish on  
7       the website of the NTIA and submit to the Com-  
8       mittee on Energy and Commerce of the House of  
9       Representatives and the Committee on Commerce,  
10      Science, and Transportation of the Senate a report  
11      that contains the reports described in paragraph (2)  
12      for the fiscal year ending most recently before the  
13      beginning of such quarter.

14          (2) REPORTS DESCRIBED.—The reports de-  
15      scribed in this paragraph are the following:

16           (A) The report required by section  
17           903(c)(2)(C) of division FF of the Consolidated  
18           Appropriations Act, 2021 (47 U.S.C.  
19           1307(c)(2)(C)).

20           (B) If amounts in the Public Wireless Sup-  
21           ply Chain Innovation Fund established by sec-  
22           tion 9202(a)(1)(A)(i) of the William M. (Mac)  
23           Thornberry National Defense Authorization Act  
24           for Fiscal Year 2021 (47 U.S.C.  
25           906(a)(1)(A)(i)) were available for the fiscal

1 year described in paragraph (1) of this sub-  
2 section, the report required by section  
3 9202(a)(1)(G) of such Act (47 U.S.C.  
4 906(a)(1)(G)).

5 (C) If the Under Secretary awarded grants  
6 under section 60304(d)(1) of the Infrastructure  
7 Investment and Jobs Act (47 U.S.C.  
8 1723(d)(1)) in the fiscal year described in para-  
9 graph (1) of this subsection, the report required  
10 by section 60306(a)(1)(A) of such Act (47  
11 U.S.C. 1725(a)(1)(A)).

12 (D) A summary of the reports for the fis-  
13 cal year described in paragraph (1) that are re-  
14 quired to be submitted to the Under Secretary  
15 by executive agencies under section 107(b)(5) of  
16 the National Telecommunications and Informa-  
17 tion Administration Organization Act, as added  
18 by this Act.

19 (3) TIMING OF UNDERLYING REPORTING RE-  
20 QUIREMENTS.—

21 (A) REPORT OF OFFICE OF INTERNET  
22 CONNECTIVITY AND GROWTH.—Section  
23 903(c)(2)(C) of division FF of the Consolidated  
24 Appropriations Act, 2021 (47 U.S.C.  
25 1307(c)(2)(C)) is amended—

1 (i) in the matter preceding clause

2 (i)—

3 (I) by striking “Not later than 1  
4 year after the date of the enactment  
5 of this Act, and every year there-  
6 after,” and inserting “In the first  
7 quarter of each calendar year,”; and

8 (II) by inserting “, for the fiscal  
9 year ending most recently before the  
10 beginning of such quarter,” after “a  
11 report”; and

12 (ii) in clause (i), by striking “for the  
13 previous year”.

14 (B) REPORT ON DIGITAL EQUITY GRANT  
15 PROGRAMS.—Section 60306(a)(1) of the Infra-  
16 structure Investment and Jobs Act (47 U.S.C.  
17 1725(a)(1)) is amended—

18 (i) in the matter preceding subpara-  
19 graph (A), by striking “Not later than 1  
20 year” and all that follows through “shall—  
21 ” and inserting the following: “For the  
22 first fiscal year in which the Under Sec-  
23 retary awards grants under section  
24 60304(d)(1), and each fiscal year there-  
25 after in which the Under Secretary awards

1 grants under such section, the Under Sec-  
2 retary shall—”; and

3 (ii) in subparagraph (A)—

4 (I) by inserting “in the first  
5 quarter of the first calendar year that  
6 begins after the end of such fiscal  
7 year,” before “submit”; and

8 (II) by striking “, for the year  
9 covered by the report”.

10 (4) SATISFACTION OF UNDERLYING REPORTING  
11 REQUIREMENTS.—

12 (A) IN GENERAL.—Except as provided in  
13 subparagraph (B), the publication and submis-  
14 sion of a report as required by paragraph (1)  
15 in the first quarter of a calendar year shall be  
16 treated as satisfying any requirement to publish  
17 or otherwise make publicly available or to sub-  
18 mit to Congress or to a committee of Congress  
19 a report described in paragraph (2) for the fis-  
20 cal year ending most recently before the begin-  
21 ning of such quarter.

22 (B) CERTAIN SUBMISSION REQUIRE-  
23 MENTS.—At the time when the Under Secretary  
24 submits a report required by paragraph (1) to  
25 the committees described in such paragraph,

1 the Under Secretary shall submit any portion of  
2 such report that relates to a report described in  
3 paragraph (2)(C) to each committee of Con-  
4 gress not described in paragraph (1) to which  
5 such report would (without regard to subpara-  
6 graph (A) of this paragraph) be required to be  
7 submitted.

8 (5) APPLICABILITY.—Paragraph (1), and the  
9 amendments made by paragraph (3), shall apply be-  
10 ginning on January 1 of the first calendar year that  
11 begins after the date of the enactment of this Act.

12 (c) EXTENSION OF CERTAIN AUDIT AND REPORTING  
13 REQUIREMENTS.—Section 902(c)(4)(A) of division N of  
14 the Consolidated Appropriations Act, 2021 (47 U.S.C.  
15 1306(c)(4)(A)) is amended by striking “fiscal years 2021  
16 and 2022” and inserting “fiscal years 2021, 2022, 2023,  
17 and 2024”.

18 (d) DEFINITION.—In this section, the term “Sec-  
19 retary” means the Secretary of Commerce.

## 20 **TITLE II—OFFICE OF SPECTRUM** 21 **MANAGEMENT**

### 22 **SEC. 201. OFFICE OF SPECTRUM MANAGEMENT.**

23 Part A of the National Telecommunications and In-  
24 formation Administration Organization Act (47 U.S.C.



1 901 et seq.) is amended by adding at the end the fol-  
2 lowing:

3 **“SEC. 106. OFFICE OF SPECTRUM MANAGEMENT.**

4 “(a) ESTABLISHMENT.—There is established within  
5 the NTIA an Office of Spectrum Management (in this sec-  
6 tion referred to as the ‘Office’).

7 “(b) HEAD OF OFFICE.—

8 “(1) IN GENERAL.—The head of the Office  
9 shall be an Associate Administrator for Spectrum  
10 Management (in this section referred to as the ‘As-  
11 sociate Administrator’).

12 “(2) CAREER POSITION.—The position of Asso-  
13 ciate Administrator shall be a career position in the  
14 Senior Executive Service occupied by a career ap-  
15 pointee (as that term is defined in section  
16 3132(a)(4) of title 5, United States Code).

17 “(3) REQUIREMENT TO REPORT.—The Asso-  
18 ciate Administrator shall report to the Under Sec-  
19 retary (or a designee of the Under Secretary).

20 “(c) DUTIES.—The Associate Administrator shall, at  
21 the direction of the Under Secretary—

22 “(1) carry out responsibilities under section  
23 103(b)(2)(A) (relating to frequency assignments for  
24 radio stations belonging to and operated by the  
25 United States), make frequency allocations for fre-

1        frequencies that will be used by such stations, and de-  
2        velop and maintain techniques, databases, measure-  
3        ments, files, and procedures necessary for such allo-  
4        cations;

5            “(2) carry out responsibilities under section  
6        103(b)(2)(K) (relating to establishing policies con-  
7        cerning spectrum assignments and use by radio sta-  
8        tions belonging to and operated by the United  
9        States) and provide Federal agencies with guidance  
10       to ensure that the conduct of telecommunications ac-  
11       tivities by such agencies is consistent with such poli-  
12       cies;

13           “(3) represent the interests of Federal agencies  
14       in the process through which the Commission and  
15       the NTIA jointly determine the National Table of  
16       Frequency Allocations, and coordinate with the  
17       Commission in the development of a comprehensive  
18       long-range plan for improved management of all  
19       electromagnetic spectrum resources;

20           “(4) appoint the chairpersons of and provide  
21       secretariat functions for the Interdepartmental  
22       Radio Advisory Committee and the PPSG (as de-  
23       fined in section 107(d));

24           “(5) carry out responsibilities under section  
25       103(b)(2)(B) (relating to authorizing a foreign gov-

1 ernment to construct and operate a radio station at  
2 the seat of Government of the United States) and  
3 assign frequencies for use by such stations;

4 “(6) provide advice and assistance to the Under  
5 Secretary and coordinate with the Associate Admin-  
6 istrator for International Affairs in carrying out  
7 spectrum management aspects of the international  
8 policy responsibilities of the NTIA, including spec-  
9 trum-related responsibilities under section  
10 103(b)(2)(G);

11 “(7) advise and assist the Under Secretary on  
12 spectrum-related technical and policy issues regard-  
13 ing—

14 “(A) the security of telecommunications in  
15 the United States; and

16 “(B) systems and means to ensure such  
17 security;

18 “(8) in coordination with the Associate Admin-  
19 istrator for Policy Development and Cybersecurity,  
20 carry out spectrum-related responsibilities under sec-  
21 tion 103(b)(2)(H) (relating to coordination of the  
22 telecommunications activities of the executive branch  
23 and assistance in the formulation of policies and  
24 standards for such activities);

1           “(9) carry out spectrum-related responsibilities  
2           under section 103(b)(2)(Q) (relating to certain ac-  
3           tivities with respect to telecommunications re-  
4           sources);

5           “(10) carry out responsibilities under section  
6           107 (relating to improving spectrum management);  
7           and

8           “(11) carry out any other duties of the NTIA  
9           with respect to spectrum policy that the Under Sec-  
10          retary may designate.”.

11 **SEC. 202. IMPROVING SPECTRUM MANAGEMENT.**

12          Part A of the National Telecommunications and In-  
13          formation Administration Organization Act (47 U.S.C.  
14          901 et seq.), as amended by the preceding provisions of  
15          this Act, is further amended by adding at the end the fol-  
16          lowing:

17 **“SEC. 107. IMPROVING SPECTRUM MANAGEMENT.**

18          “(a) FEDERAL COORDINATION PROCEDURES.—

19                 “(1) NOTICE.—With respect to each spectrum  
20                 action, not later than the end of the period for sub-  
21                 mitting comments to the Commission in the pro-  
22                 ceeding relating to the spectrum action, the Under  
23                 Secretary shall file in the public record with respect  
24                 to the proceeding information (redacted as necessary

1 if the information is protected from disclosure for a  
2 reason described in paragraph (3)) regarding—

3 “(A) when the Commission provided notice  
4 to the Under Secretary regarding the spectrum  
5 action, as required under the Memorandum;

6 “(B) the Federal entities that may be im-  
7 pacted by the spectrum action;

8 “(C) when the Under Secretary provided  
9 notice to the Federal entities described in sub-  
10 paragraph (B) regarding the spectrum action;

11 “(D) a summary of any general technical  
12 or procedural concerns raised by Federal enti-  
13 ties to the Under Secretary regarding the spec-  
14 trum action; and

15 “(E) any policy concerns of the Under Sec-  
16 retary regarding the spectrum action.

17 “(2) FINAL RULE.—If the Commission promul-  
18 gates a final rule under section 553 of title 5,  
19 United States Code, involving a spectrum action, the  
20 Commission shall prepare, make available to the  
21 public, and publish in the Federal Register along  
22 with the final rule an interagency coordination sum-  
23 mary that describes—

1           “(A) when the Commission provided notice  
2           to the Under Secretary regarding the spectrum  
3           action, as required under the Memorandum;

4           “(B) whether the Under Secretary raised  
5           technical, procedural, or policy concerns regard-  
6           ing the spectrum action; and

7           “(C) how any concerns described in sub-  
8           paragraph (B) were resolved.

9           “(3) RULE OF CONSTRUCTION.—Nothing in  
10          this subsection may be construed to require the dis-  
11          closure of classified information, or other informa-  
12          tion reflecting technical, procedural, or policy con-  
13          cerns that is exempt from disclosure under section  
14          552 of title 5, United States Code (commonly known  
15          as the ‘Freedom of Information Act’).

16          “(4) FCC CONSIDERATION.—The Commission  
17          may not consider any technical, procedural, or policy  
18          concerns of a Federal entity regarding a spectrum  
19          action unless such concerns are filed by the Under  
20          Secretary on behalf of the Federal entity in the pub-  
21          lic record with respect to the proceeding of the Com-  
22          mission relating to the spectrum action.

23          “(b) FEDERAL SPECTRUM COORDINATION RESPON-  
24          SIBILITIES.—

1           “(1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this section, the  
3 Under Secretary shall establish a charter for the  
4 PPSG.

5           “(2) PPSG REPRESENTATIVE.—

6           “(A) IN GENERAL.—The head of each  
7 Federal entity that is reflected in the member-  
8 ship of the PPSG, as identified in the charter  
9 established under paragraph (1), shall appoint  
10 a senior-level employee (or an individual occu-  
11 pying a Senior Executive Service position, as  
12 defined in section 3132(a) of title 5, United  
13 States Code) who is eligible to receive a security  
14 clearance that allows for access to sensitive  
15 compartmented information to serve as the rep-  
16 resentative of the Federal entity to the PPSG.

17           “(B) SECURITY CLEARANCE REQUIRE-  
18 MENT.—If an individual appointed under sub-  
19 paragraph (A) is not eligible to receive a secu-  
20 rity clearance described in that subparagraph—

21                   “(i) the appointment shall be invalid;

22                   and

23                   “(ii) the head of the Federal entity  
24 making the appointment shall appoint an-  
25 other individual who satisfies the require-

1                   ments of that subparagraph, including the  
2                   requirement that the individual is eligible  
3                   to receive such a security clearance.

4                   “(3) DUTIES.—An individual appointed under  
5 paragraph (2) shall—

6                   “(A) oversee the spectrum coordination  
7 policies and procedures of the applicable Fed-  
8 eral entity;

9                   “(B) be responsible for timely notification  
10 to the PPSG and to the Under Secretary of  
11 technical or procedural concerns of the applica-  
12 ble Federal entity regarding a spectrum action;  
13 and

14                   “(C) work closely with the representative  
15 of the applicable Federal entity to the Inter-  
16 departmental Radio Advisory Committee.

17                   “(4) PUBLIC CONTACT.—

18                   “(A) IN GENERAL.—The head of each  
19 Federal entity described in paragraph (2) shall  
20 list, on the website of the Federal entity, the  
21 name and contact information of the represent-  
22 ative of the Federal entity to the PPSG, as ap-  
23 pointed under such paragraph.

24                   “(B) NTIA RESPONSIBILITY.—The Under  
25 Secretary shall publish on the public website of



1 the NTIA a complete list of the representatives  
2 to the PPSG appointed under paragraph (2).

3 “(5) ANNUAL REPORT.—In the last quarter of  
4 each calendar year, each executive agency that is au-  
5 thORIZED and directed to cooperate with the NTIA  
6 under section 105(c)(2) shall submit to the Under  
7 Secretary a report, for the fiscal year ending most  
8 recently before the beginning of such quarter, de-  
9 scribing the steps taken in such fiscal year by the  
10 executive agency to comply with such section.

11 “(c) COORDINATION BETWEEN COMMISSION AND  
12 NTIA.—

13 “(1) UPDATES.—Not later than 3 years after  
14 the date of the enactment of this section, and every  
15 4 years thereafter or more frequently as appropriate,  
16 the Commission and the NTIA shall update the  
17 Memorandum.

18 “(2) NATURE OF UPDATE.—The updates re-  
19 quired by paragraph (1) shall reflect such changing  
20 technological, procedural, and policy circumstances  
21 as the Commission and the NTIA determine nec-  
22 essary and appropriate.

23 “(d) DEFINITIONS.—In this section:

24 “(1) MEMORANDUM.—The term ‘Memorandum’  
25 means the Memorandum of Understanding between

1 the Commission and the NTIA (relating to increased  
2 coordination between Federal spectrum management  
3 agencies to promote the efficient use of the radio  
4 spectrum in the public interest), signed on August 1,  
5 2022, or any successor memorandum.

6 “(2) PPSG.—The term ‘PPSG’ means the  
7 interagency advisory body that, as of the date of the  
8 enactment of this section, is known as the Policy  
9 and Plans Steering Group.

10 “(3) SPECTRUM ACTION.—The term ‘spectrum  
11 action’ means a proposed action by the Commission  
12 to reallocate radio frequency spectrum that is antici-  
13 pated to result in a system of competitive bidding  
14 conducted under section 309(j) of the Communica-  
15 tions Act of 1934 (47 U.S.C. 309(j)) or non-Federal  
16 use that could potentially cause interference to the  
17 spectrum operations of a Federal entity.”

18 **SEC. 203. SPECTRUM MANAGEMENT IMPROVEMENTS.**

19 (a) PROTOTYPING.—Consistent with subparagraphs  
20 (F), (L), (P), and (U) of section 103(b)(2) of the National  
21 Telecommunications and Information Administration Or-  
22 ganization Act (47 U.S.C. 902(b)(2)), the Under Sec-  
23 retary, in coordination with the Commission, shall develop,  
24 establish, prototype, and support the implementation of  
25 common models, common methodologies, and common in-

1 puts to inform electromagnetic spectrum management de-  
2 cisions with respect to frequencies assigned on a primary  
3 or co-primary basis to 1 or more Federal entities, such  
4 as—

5 (1) technologies and techniques to control radio  
6 frequency emissions and interference;

7 (2) advanced antenna arrays, and artificial in-  
8 telligence systems and technologies capable of oper-  
9 ating advanced antenna arrays, including multiple-  
10 input, multiple-output antennas, beam forming and  
11 steering technology, antenna nulling technology, and  
12 conformal arrays;

13 (3) network sensing and monitoring tech-  
14 nologies;

15 (4) advanced receivers that incorporate new  
16 technologies supporting new waveforms and multiple  
17 bands;

18 (5) dynamic spectrum access technologies  
19 across wireless systems and frequencies, including  
20 local-to-the-radio and cognitive multidomain access;

21 (6) novel spectrum access technologies;

22 (7) artificial intelligence systems to enable dy-  
23 namic spectrum access, Internet of Things networks,  
24 and other advanced communications technologies;

25 and

1           (8) optical and quantum communications tech-  
2           nologies.

3           (b) SPECTRUM MANAGEMENT AND ADVANCED COM-  
4           MUNICATIONS TECHNOLOGIES.—Section 104 of the Na-  
5           tional Telecommunications and Information Administra-  
6           tion Organization Act (47 U.S.C. 903) is amended by add-  
7           ing at the end the following:

8           “(f) IDENTIFICATION AND IMPLEMENTATION OF  
9           SPECTRUM MANAGEMENT TECHNOLOGIES.—The Under  
10          Secretary shall identify and implement technologies that  
11          promote, with respect to frequencies assigned on a pri-  
12          mary or co-primary basis to 1 or more Federal entities—

13                 “(1) dynamic spectrum access;

14                 “(2) network sensing and monitoring; and

15                 “(3) optical and quantum communications.

16          “(g) PROTOTYPING OF ADVANCED COMMUNICATIONS  
17          TECHNOLOGIES.—The Under Secretary shall, with re-  
18          spect to frequencies assigned on a primary or co-primary  
19          basis to 1 or more Federal entities—

20                 “(1) encourage the development of, and broad  
21          participation in, a skilled workforce to conduct  
22          prototyping of advanced communications tech-  
23          nologies; and

1           “(2) support partnerships among institutions to  
2           develop a skilled workforce to conduct prototyping of  
3           advanced communications technologies.”.

4 **SEC. 204. INSTITUTE FOR TELECOMMUNICATION**  
5 **SCIENCES.**

6           Part A of the National Telecommunications and In-  
7 formation Administration Organization Act (47 U.S.C.  
8 901 et seq.), as amended by the preceding provisions of  
9 this Act, is further amended by adding at the end the fol-  
10 lowing:

11 **“SEC. 108. INSTITUTE FOR TELECOMMUNICATION**  
12 **SCIENCES.**

13           “(a) ESTABLISHMENT.—

14           “(1) IN GENERAL.—Under the authority pro-  
15 vided to the Under Secretary under section 103, the  
16 Under Secretary shall operate a test center to be  
17 known as the Institute for Telecommunication  
18 Sciences (in this section referred to as ‘ITS’).

19           “(2) FUNCTIONS.—

20           “(A) IN GENERAL.—In addition to any  
21 functions delegated by the Under Secretary  
22 under subparagraph (B), ITS shall serve as the  
23 primary laboratory for the executive branch of  
24 the Federal Government to—

1           “(i) study radio frequency emissions,  
2           including technologies and techniques to  
3           control such emissions and interference  
4           caused by such emissions;

5           “(ii) determine spectrum propagation  
6           characteristics;

7           “(iii) conduct tests on technology that  
8           enhances the sharing of electromagnetic  
9           spectrum between Federal and non-Federal  
10          users;

11          “(iv) improve the interference toler-  
12          ance of Federal systems operating with, or  
13          using, Federal spectrum;

14          “(v) promote activities relating to ac-  
15          cess to Federal spectrum by non-Federal  
16          users and the sharing of Federal spectrum  
17          between Federal and non-Federal users;  
18          and

19          “(vi) conduct such other activities as  
20          determined necessary by the Under Sec-  
21          retary.

22          “(B)    ADDITIONAL    FUNCTIONS.—The  
23          Under Secretary may delegate to ITS any of  
24          the functions assigned to the Under Secretary  
25          under section 103(b)(1).

1           “(3) AGREEMENTS AND TRANSACTIONS.—In  
2 carrying out the functions described in paragraph  
3 (2), the Under Secretary, acting through the head of  
4 ITS, may enter into agreements as provided under  
5 the following authorities:

6           “(A) Sections 11 and 12 of the Stevenson–  
7 Wydler Technology Innovation Act of 1980.

8           “(B) Section 1535 of title 31, United  
9 States Code.

10          “(C) Sections 207 and 209 of title 35,  
11 United States Code.

12          “(D) Section 103(b)(2) of this Act.

13          “(E) Section 113(g) of this Act.

14          “(F) The first undesignated section of  
15 Public Law 91–412.

16          “(G) Authority provided under any other  
17 Federal statute.

18          “(4) FEDERAL SPECTRUM DEFINED.—In this  
19 subsection, the term ‘Federal spectrum’ means fre-  
20 quencies assigned on a primary basis to a Federal  
21 entity (as defined in section 113(l)).

22          “(b) EMERGENCY COMMUNICATION AND TRACKING  
23 TECHNOLOGIES INITIATIVE.—

24          “(1) ESTABLISHMENT.—The Under Secretary,  
25 acting through the head of ITS, shall establish an

1 initiative to support the development of emergency  
2 communication and tracking technologies for use in  
3 locating trapped individuals in confined spaces, such  
4 as underground mines, and other shielded environ-  
5 ments, such as high-rise buildings or collapsed struc-  
6 tures, where conventional radio communication is  
7 limited.

8 “(2) ACTIVITIES.—In order to carry out this  
9 subsection, the Under Secretary, acting through the  
10 head of ITS, shall work with private sector entities  
11 and the heads of appropriate Federal agencies, to—

12 “(A) perform a needs assessment to iden-  
13 tify and evaluate the measurement, technical  
14 specifications, and conformity assessment needs  
15 required to improve the operation and reliability  
16 of such emergency communication and tracking  
17 technologies; and

18 “(B) support the development of technical  
19 specifications and conformance architecture to  
20 improve the operation and reliability of such  
21 emergency communication and tracking tech-  
22 nologies.

23 “(3) REPORT.—Not later than 18 months after  
24 the date of the enactment of this section, the Under  
25 Secretary shall submit to Congress, and make pub-



1           licly available, a report on the assessment performed  
2           under paragraph (2)(A).”.

3   **SEC. 205. COMMERCE SPECTRUM MANAGEMENT ADVISORY**  
4                           **COMMITTEE.**

5           Part A of the National Telecommunications and In-  
6   formation Administration Organization Act (47 U.S.C.  
7   901 et seq.), as amended by the preceding provisions of  
8   this Act, is further amended by adding at the end the fol-  
9   lowing:

10   **“SEC. 109. COMMERCE SPECTRUM MANAGEMENT ADVI-**  
11                           **SORY COMMITTEE.**

12           “(a) ESTABLISHMENT.—

13                   “(1) IN GENERAL.—Not later than 90 days  
14           after the date of the enactment of this section, the  
15           Under Secretary shall establish within the NTIA a  
16           Commerce Spectrum Management Advisory Com-  
17           mittee (referred to in this section as the ‘CSMAC’).

18                   “(2) EXISTING ADVISORY COMMITTEES.—A  
19           Federal advisory committee of the NTIA that is op-  
20           erating, on the date of the enactment of this section,  
21           under a charter for the purpose of carrying out du-  
22           ties substantially similar to the duties described in  
23           subsection (b), satisfies the requirements of para-  
24           graph (1) if the membership of such committee com-  
25           plies with subsection (c) or is modified to comply

1 with such subsection not later than 90 days after  
2 the date of the enactment of this section.

3 “(b) DUTIES.—The CSMAC shall advise and make  
4 recommendations to the Under Secretary with respect  
5 to—

6 “(1) developing and maintaining spectrum man-  
7 agement policies that enable the United States to  
8 maintain or strengthen its global leadership role in  
9 the introduction of innovative communications tech-  
10 nologies and services, including those that enable  
11 critical missions of the Federal Government;

12 “(2) objectives that advance spectrum-based in-  
13 novation, including facilitating access to—

14 “(A) wireless broadband internet access  
15 service;

16 “(B) space-based services;

17 “(C) non-communications services, includ-  
18 ing radiolocation services and sensing services;

19 and

20 “(D) other emerging technologies;

21 “(3) fostering increased spectrum sharing  
22 among all users;

23 “(4) promoting innovation and rapid advances  
24 in technology that support the more efficient use of  
25 spectrum;

1           “(5) authorizing radio systems and frequencies  
2           in a way that maximizes the benefits to the public;

3           “(6) establishing a long-range spectrum plan-  
4           ning process and identifying international opportuni-  
5           ties to advance the economic interests of the United  
6           States through spectrum management;

7           “(7) how best to leverage radio frequency-re-  
8           lated research, development, and testing and evalua-  
9           tion efforts;

10           “(8) ways to foster more efficient and innova-  
11           tive uses of electromagnetic spectrum resources  
12           across the Federal Government, subject to and con-  
13           sistent with the needs and missions of Federal agen-  
14           cies;

15           “(9) new issues associated with spectrum shar-  
16           ing on frequencies assigned on a primary or co-pri-  
17           mary basis to 1 or more Federal entities, including  
18           harmful interference and associated enforcement  
19           challenges; and

20           “(10) developing balanced policies that promote  
21           licensed, unlicensed, and other forms of access to  
22           spectrum.

23           “(c) MEMBERS.—

24           “(1) COMPOSITION OF COMMITTEE.—To the ex-  
25           tent practicable, the CSMAC shall be composed of

1 not less than 10 but not more than 30 members ap-  
2 pointed by the Under Secretary with the goal of pro-  
3 viding a balanced representation of—

4 “(A) non-Federal spectrum users;

5 “(B) State government and local govern-  
6 ment;

7 “(C) technology developers and manufac-  
8 turers;

9 “(D) academia;

10 “(E) civil society;

11 “(F) providers of mobile broadband inter-  
12 net access service and providers of fixed  
13 broadband internet access service, including—

14 “(i) providers with customers in both  
15 domestic and international markets;

16 “(ii) small providers; and

17 “(iii) rural providers;

18 “(G) providers of communications services  
19 using satellite communications networks;

20 “(H) Federal spectrum users; and

21 “(I) Tribal organizations.

22 “(2) APPOINTMENTS.—

23 “(A) IN GENERAL.—The Under Secretary  
24 shall appoint members to the CSMAC for up to  
25 a two-year term, except that members may be

1 reappointed for additional terms by the Under  
2 Secretary.

3 “(B) REMOVAL.—Each member appointed  
4 under subparagraph (A) shall serve on the  
5 CSMAC at the pleasure and discretion of the  
6 Under Secretary.

7 “(3) CHAIR.—

8 “(A) APPOINTMENT.—The Under Sec-  
9 retary shall appoint one or more members from  
10 among those appointed to the CSMAC to serve  
11 as Chair or Co-Chairs of the CSMAC.

12 “(B) SERVICE.—The Chair, or Co-Chairs,  
13 as the case may be, shall serve at the pleasure  
14 and discretion of the Under Secretary.

15 “(4) VACANCY.—A vacancy on the CSMAC  
16 shall be filled in the manner in which the original  
17 appointment was made and the member so ap-  
18 pointed shall serve for the remainder of the term.

19 “(5) COMPENSATION.—The members of the  
20 CSMAC shall serve without compensation.

21 “(d) SUBCOMMITTEES.—

22 “(1) AUTHORITY.—Subject to the approval of  
23 the Under Secretary, as the Under Secretary deter-  
24 mines necessary for the performance by the CSMAC  
25 of the duties described under subsection (b), the

1 CSMAC may establish subcommittees, working  
2 groups, standing committees, ad hoc groups, task  
3 groups, or other subgroups of the CSMAC.

4 “(2) LIMITATIONS AND ADDITIONAL PARTICIPA-  
5 TION.—Any subcommittee, working group, standing  
6 committee, ad hoc group, task group, or other sub-  
7 group established under paragraph (1)—

8 “(A) shall report to the CSMAC;

9 “(B) may not provide any advice, rec-  
10 ommendation, or other work product directly to  
11 the Under Secretary; and

12 “(C) may seek participation by any person  
13 who is not a member of the CSMAC to inform  
14 the activity of such subcommittee, working  
15 group, standing committee, ad hoc group, task  
16 group, or other subgroup.

17 “(e) DURATION.—Section 1013(a)(2)(B) of title 5,  
18 United States Code (relating to the termination of advi-  
19 sory committees) shall not apply to the CSMAC.”.

20 **SEC. 206. INCUMBENT INFORMING CAPABILITY.**

21 Part B of the National Telecommunications and In-  
22 formation Administration Organization Act (47 U.S.C.  
23 921 et seq.) is amended by adding at the end the fol-  
24 lowing:

1 **“SEC. 120. INCUMBENT INFORMING CAPABILITY.**

2 “(a) IN GENERAL.—The Under Secretary shall—

3 “(1) not later than 120 days after the date of  
4 the enactment of this section, begin to amend the  
5 Department of Commerce spectrum management  
6 document entitled ‘Manual of Regulations and Pro-  
7 cedures for Federal Radio Frequency Management’  
8 so as to incorporate an incumbent informing capa-  
9 bility; and

10 “(2) not later than the date on which amounts  
11 appropriated to carry out this section are first made  
12 available, begin to implement such capability, includ-  
13 ing the development and testing of such capability.

14 “(b) ESTABLISHMENT OF THE INCUMBENT INFORM-  
15 ING CAPABILITY.—

16 “(1) IN GENERAL.—The incumbent informing  
17 capability required by subsection (a) shall include a  
18 system to enable sharing, including time-based shar-  
19 ing, to securely manage harmful interference be-  
20 tween non-Federal users and incumbent Federal en-  
21 tities sharing a band of covered spectrum and be-  
22 tween Federal entities sharing a band of covered  
23 spectrum.

24 “(2) REQUIREMENTS FOR SYSTEM.—The sys-  
25 tem required by paragraph (1) shall contain, at a  
26 minimum, the following:

1           “(A) One or more mechanisms to allow  
2 non-Federal use in covered spectrum, as au-  
3 thorized by the rules of the Commission. Such  
4 mechanism or mechanisms shall include inter-  
5 faces to commercial sharing systems, as appro-  
6 priate.

7           “(B) One or more mechanisms to facilitate  
8 Federal-to-Federal sharing, as authorized by  
9 the NTIA.

10           “(C) One or more mechanisms to prevent,  
11 eliminate, or mitigate harmful interference to  
12 incumbent Federal entities, including one or  
13 more of the following functions:

14                   “(i) Sensing.

15                   “(ii) Identification.

16                   “(iii) Reporting.

17                   “(iv) Analysis.

18                   “(v) Resolution.

19           “(D) Dynamic coordination area analysis,  
20 definition, and control, if appropriate for a  
21 band.

22           “(3) COMPLIANCE WITH COMMISSION RULES.—  
23 The incumbent informing capability required by sub-  
24 section (a) shall ensure that use of covered spectrum



1 is in accordance with the applicable rules of the  
2 Commission.

3 “(4) INPUT OF INFORMATION.—Each incum-  
4 bent Federal entity sharing a band of covered spec-  
5 trum shall—

6 “(A) input into the system required by  
7 paragraph (1) such information as the Under  
8 Secretary may require, including the frequency,  
9 time, and location of the use of the band by  
10 such Federal entity; and

11 “(B) to the extent practicable, input such  
12 information into such system on an automated  
13 basis.

14 “(5) PROTECTION OF CLASSIFIED INFORMA-  
15 TION AND CONTROLLED UNCLASSIFIED INFORMA-  
16 TION.—The system required by paragraph (1) shall  
17 contain appropriate measures to protect classified  
18 information and controlled unclassified information,  
19 including any such classified information or con-  
20 trolled unclassified information that relates to mili-  
21 tary operations.

22 “(c) BRIEFING.—Not later than 1 year after the date  
23 on which amounts appropriated to carry out this section  
24 are first made available, the Under Secretary shall provide  
25 a briefing on the implementation of this section to the

1 Committee on Energy and Commerce of the House of  
2 Representatives and the Committee on Commerce,  
3 Science, and Transportation of the Senate.

4 “(d) DEFINITIONS.—In this section:

5 “(1) COVERED SPECTRUM.—The term ‘covered  
6 spectrum’ means—

7 “(A) electromagnetic spectrum for which  
8 usage rights are assigned to or authorized for  
9 (including before the date on which the incum-  
10 bent informing capability required by subsection  
11 (a) is implemented) a non-Federal user or class  
12 of non-Federal users for use on a shared basis  
13 with an incumbent Federal entity in accordance  
14 with the rules of the Commission; and

15 “(B) electromagnetic spectrum allocated  
16 on a primary or co-primary basis for Federal  
17 use that is shared among Federal entities.

18 “(2) FEDERAL ENTITY.—The term ‘Federal en-  
19 tity’ has the meaning given such term in section  
20 113(l).

21 “(3) INCUMBENT INFORMING CAPABILITY.—  
22 The term ‘incumbent informing capability’ means a  
23 capability to facilitate the sharing of covered spec-  
24 trum.

1       “(e) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion may be construed to alter or expand the authority  
3 of the NTIA as described in section 113(j)(1).”.

4 **SEC. 207. VOLUNTARY CRITERIA, STANDARDS, RATINGS,**  
5 **AND OTHER MEASURES FOR CERTAIN RADIO**  
6 **RECEIVERS.**

7       (a) ESTABLISHMENT OF WORKING GROUP.—

8           (1) IN GENERAL.—Not later than 90 days after  
9 the date of the enactment of this Act, the Under  
10 Secretary shall convene a working group to assist  
11 the Under Secretary in developing, and periodically  
12 updating, voluntary criteria, standards, ratings, and  
13 other measures with respect to radio receivers oper-  
14 ating in Federal systems in spectrum bands allo-  
15 cated for exclusive Federal use.

16           (2) PURPOSE.—The purpose of the voluntary  
17 criteria, standards, ratings, and other measures de-  
18 veloped, and periodically updated, by the Under Sec-  
19 retary under this section, with the assistance of the  
20 working group, shall be to provide guidance on the  
21 design, manufacture, and sale of radio receivers de-  
22 signed (in whole or in part) to operate in Federal  
23 systems in spectrum bands allocated for exclusive  
24 Federal use—

1 (A) with respect to the incorporation of ap-  
2 propriate measures to mitigate, or enhance re-  
3 siliency to, potential harmful interference; and

4 (B) with the goal of ensuring that the rea-  
5 sonable current and future use of cochannel  
6 and non-cochannel spectrum, including use by  
7 non-Federal systems of spectrum designated by  
8 the Commission for commercial operations, will  
9 not result in the operation of such receivers  
10 being seriously degraded or obstructed, includ-  
11 ing such operation being repeatedly interrupted.

12 (3) CHAIR; MEMBERS; PARTICIPATION BY FED-  
13 ERAL ENTITIES.—

14 (A) CHAIR AND MEMBERS.—The Chair of  
15 the working group shall be the Under Secretary  
16 and the working group shall include representa-  
17 tives from the following:

18 (i) The Commission.

19 (ii) The communications industry.

20 (iii) Academia.

21 (iv) Entities that manufacture radio  
22 receivers.

23 (v) Entities that establish technical  
24 specifications for radio receivers.

1 (B) PARTICIPATION BY FEDERAL ENTI-  
2 TIES.—The Under Secretary shall invite a rep-  
3 resentative from each Federal entity to partici-  
4 pate in the working group.

5 (4) FEDERAL ADVISORY COMMITTEE ACT EX-  
6 EMPTION.—Chapter 10 of title 5, United States  
7 Code, shall not apply to the working group.

8 (b) PUBLICATION OF VOLUNTARY CRITERIA, STAND-  
9 ARDS, RATINGS, AND OTHER MEASURES.—Not later than  
10 18 months after the date on which the working group is  
11 convened, the Under Secretary shall publish, consistent  
12 with the protection of classified information and intel-  
13 ligence sources and methods, the voluntary criteria, stand-  
14 ards, ratings, and other measures developed pursuant to  
15 subsection (a) on a publicly accessible page on the website  
16 of the NTIA and in the Federal Register.

17 (c) PERIODIC REVIEW AND UPDATE.—Not less fre-  
18 quently than every 4 years, the Under Secretary shall re-  
19 view and update, if appropriate, the voluntary criteria,  
20 standards, ratings, and other measures published under  
21 subsection (b). Any such update shall be published as de-  
22 scribed in subsection (b) not later than 14 days after the  
23 date on which the update is completed.

24 (d) CONSIDERATION.—In developing, and periodically  
25 updating, voluntary criteria, standards, ratings, and other

1 measures under this section, the Under Secretary shall  
2 take into consideration the unique technical and oper-  
3 ational characteristics of different Federal systems.

4 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
5 tion may be construed to provide authority for the estab-  
6 lishment of any—

7 (1) mandatory criteria, standards, ratings, or  
8 other measures; or

9 (2) voluntary criteria, standards, ratings, or  
10 other measures with technical parameters not deter-  
11 mined by the Under Secretary.

12 (f) DEFINITIONS.—In this section:

13 (1) FEDERAL ENTITY.—The term “Federal en-  
14 tity” has the meaning given such term in section  
15 113(l) of the National Telecommunications and In-  
16 formation Administration Organization Act (47  
17 U.S.C. 923(l)).

18 (2) FEDERAL SYSTEM.—The term “Federal  
19 system” means a system of radio stations belonging  
20 to and operated by the Federal Government that re-  
21 ceives radio frequency signals on spectrum that is al-  
22 located exclusively for Federal use or allocated for  
23 shared Federal and non-Federal use.

1           (3) WORKING GROUP.—The term “working  
2           group” means the working group convened under  
3           subsection (a)(1).

4           **TITLE III—OFFICE OF INTERNET**  
5           **CONNECTIVITY AND GROWTH**

6           **SEC. 301. NATIONAL STRATEGY TO CLOSE DIGITAL DIVIDE.**

7           (a) NATIONAL STRATEGY.—

8           (1) IN GENERAL.—Not later than 18 months  
9           after the date of the enactment of this Act, the  
10          Under Secretary, in consultation with the heads of  
11          the covered agencies, shall develop and submit to the  
12          appropriate committees of Congress a National  
13          Strategy to Close the Digital Divide to—

14                (A) support better management of Federal  
15                broadband programs to deliver on the goal of  
16                providing high-speed, affordable broadband  
17                internet access service to all individuals in the  
18                United States;

19                (B) synchronize interagency coordination  
20                among covered agencies for Federal broadband  
21                programs;

22                (C) synchronize interagency coordination  
23                regarding the process for approving the grant  
24                of an easement, right of way, or lease to, in,  
25                over, or on a building or any other property

1 owned by the Federal Government for the right  
2 to install, construct, modify, or maintain infra-  
3 structure with respect to broadband internet ac-  
4 cess service; and

5 (D) reduce barriers, lower costs, and ease  
6 administrative burdens for State, local, and  
7 Tribal governments to participate in Federal  
8 broadband programs.

9 (2) REQUIRED CONTENTS.—The Strategy  
10 shall—

11 (A) list all—

12 (i) Federal broadband programs; and

13 (ii) programs known to the NTIA that  
14 exist at the State and local levels that are  
15 directly or indirectly intended to increase  
16 the deployment of, access to, the afford-  
17 ability of, or the adoption of broadband  
18 internet access service;

19 (B) describe current, as of the date on  
20 which the Strategy is submitted, Federal efforts  
21 to coordinate Federal broadband programs;

22 (C) identify gaps, limitations, and require-  
23 ments, including with respect to laws and data,  
24 that hinder, or may hinder, coordination across  
25 Federal broadband programs;



1 (D) establish clear roles and responsibil-  
2 ities for the heads of the covered agencies, as  
3 well as clear goals, objectives, and performance  
4 measures, for—

5 (i) the management of all Federal  
6 broadband programs; and

7 (ii) interagency coordination efforts  
8 with respect to Federal broadband pro-  
9 grams;

10 (E) address the sources and types of re-  
11 sources and investments needed by covered  
12 agencies to carry out the Strategy, and where  
13 those resources and investments should be tar-  
14 getted based on balancing risk reductions with  
15 costs;

16 (F) address factors that increase the costs  
17 and administrative burdens for State, local, and  
18 Tribal governments with respect to participa-  
19 tion in Federal broadband programs;

20 (G) recommend incentives, legislative solu-  
21 tions, and administrative actions to help State,  
22 local, and Tribal governments more effi-  
23 ciently—

1 (i) distribute, and effectively admin-  
2 ister, funding received from Federal  
3 broadband programs; and

4 (ii) resolve conflicts with respect to  
5 the funding described in clause (i);

6 (H) recommend incentives, legislative solu-  
7 tions, and administrative actions to—

8 (i) improve the coordination and man-  
9 agement of Federal broadband programs;  
10 and

11 (ii) eliminate duplication with respect  
12 to Federal broadband programs;

13 (I) describe current, as of the date on  
14 which the Strategy is submitted, efforts by cov-  
15 ered agencies to streamline the process for  
16 granting access to an easement, right of way, or  
17 lease to, in, over, or on a building or any other  
18 property owned by the Federal Government for  
19 the right to install, construct, modify, or main-  
20 tain infrastructure with respect to broadband  
21 internet access service;

22 (J) identify gaps and limitations with re-  
23 spect to allowing regional, interstate, or cross-  
24 border economic development organizations to  
25 participate in Federal broadband programs; and

1 (K) address specific issues relating to clos-  
2 ing the digital divide on Tribal lands.

3 (3) PUBLIC CONSULTATION.—In developing the  
4 Strategy, the Under Secretary shall consult with—

5 (A) groups that represent consumers or  
6 the interests of the public, including economi-  
7 cally or socially disadvantaged individuals;

8 (B) subject matter experts;

9 (C) providers of broadband internet access  
10 service;

11 (D) Tribal entities; and

12 (E) State and local agencies and entities.

13 (b) IMPLEMENTATION PLAN.—

14 (1) IN GENERAL.—Not later than 240 days  
15 after the date on which the Under Secretary submits  
16 the Strategy to the appropriate committees of Con-  
17 gress under subsection (a)(1), the Under Secretary,  
18 in consultation with the heads of the covered agen-  
19 cies, shall develop and submit to the appropriate  
20 committees of Congress an implementation plan for  
21 the Strategy.

22 (2) REQUIRED CONTENTS.—The Implementa-  
23 tion Plan shall, at a minimum—

24 (A) provide a plan for implementing the  
25 roles, responsibilities, goals, objectives, and per-

1 formance measures for the management of Fed-  
2 eral broadband programs and interagency co-  
3 ordination efforts identified in the Strategy;

4 (B) provide a plan for coordinating with  
5 covered agencies on the roles, responsibilities,  
6 goals, objectives, and performance measures  
7 identified in the Strategy;

8 (C) describe the roles and responsibilities  
9 of the covered agencies, and the interagency  
10 mechanisms, to coordinate the implementation  
11 of the Strategy;

12 (D) provide a plan for regular meetings  
13 among the heads of the covered agencies to co-  
14 ordinate the implementation of the Strategy  
15 and improve coordination among Federal  
16 broadband programs and for permitting proc-  
17 esses for infrastructure with respect to  
18 broadband internet access service;

19 (E) provide a plan for regular engagement  
20 with interested members of the public to evalu-  
21 ate Federal broadband programs, permitting  
22 processes for infrastructure with respect to  
23 broadband internet access service, and progress  
24 in implementing the Strategy;

1 (F) with respect to the awarding of Fed-  
2 eral funds or subsidies to support the deploy-  
3 ment of broadband internet access service, pro-  
4 vide a plan for the adoption of—

5 (i) common data sets to use when  
6 making awards, including a requirement  
7 that covered agencies use the maps created  
8 under title VIII of the Communications  
9 Act of 1934 (47 U.S.C. 641 et seq.); and

10 (ii) applications regarding those  
11 awards, as described in section 903(e) of  
12 the ACCESS BROADBAND Act (47  
13 U.S.C. 1307(e));

14 (G) provide a plan to monitor and reduce  
15 waste, fraud, and abuse in Federal broadband  
16 programs, including wasteful spending resulting  
17 from fragmented, overlapping, and unneces-  
18 sarily duplicative programs;

19 (H) require consistent obligation and ex-  
20 penditure reporting by covered agencies for  
21 Federal broadband programs, which shall be  
22 consistent with section 903(c)(2) of the AC-  
23 CESS BROADBAND Act (47 U.S.C.  
24 1307(c)(2));

25 (I) provide a plan to—

1 (i) increase awareness of, and partici-  
2 pation and enrollment in, Federal  
3 broadband programs relating to the afford-  
4 ability and adoption of broadband internet  
5 access service;

6 (ii) adopt common data sets to evalu-  
7 ate the performance of such Federal  
8 broadband programs and make such data  
9 sets available as open Government data as-  
10 sets; and

11 (iii) address barriers to participation  
12 in such Federal broadband programs for  
13 eligible households;

14 (J) provide a plan to monitor the service  
15 offerings, consistency, and quality of broadband  
16 internet access service supported by Federal  
17 broadband programs; and

18 (K) describe the administrative and legisla-  
19 tive action that is necessary to carry out the  
20 Strategy.

21 (3) PUBLIC COMMENT.—Not later than 30 days  
22 after the date on which the Under Secretary submits  
23 the Strategy to the appropriate committees of Con-  
24 gress under subsection (a)(1), the Under Secretary

1 shall seek public comment regarding the develop-  
2 ment and execution of the Implementation Plan.

3 (c) BRIEFINGS AND IMPLEMENTATION.—

4 (1) BRIEFING.—Not later than 21 days after  
5 the date on which the Under Secretary submits the  
6 Implementation Plan to the appropriate committees  
7 of Congress under subsection (b)(1), the Under Sec-  
8 retary, and appropriate representatives from the cov-  
9 ered agencies involved in the formulation of the  
10 Strategy, shall provide a briefing on the implementa-  
11 tion of the Strategy to the appropriate committees  
12 of Congress.

13 (2) IMPLEMENTATION.—The Under Secretary  
14 shall—

15 (A) implement the Strategy in accordance  
16 with the terms of the Implementation Plan; and

17 (B) not later than 90 days after the date  
18 on which the Under Secretary begins to imple-  
19 ment the Strategy, and not less frequently than  
20 once every 90 days thereafter until the date on  
21 which the Implementation Plan is fully imple-  
22 mented, brief the appropriate committees of  
23 Congress on the progress in implementing the  
24 Implementation Plan.

1 (d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY  
2 AND REPORT.—

3 (1) STUDY.—The Comptroller General of the  
4 United States shall conduct a study that shall—

5 (A) examine the efficacy of the Strategy  
6 and the Implementation Plan in closing the dig-  
7 ital divide; and

8 (B) make recommendations regarding how  
9 to improve the Strategy and the Implementa-  
10 tion Plan.

11 (2) REPORT.—Not later than 1 year after the  
12 date on which the Under Secretary submits the Im-  
13 plementation Plan to the appropriate committees of  
14 Congress under subsection (b)(1), the Comptroller  
15 General shall submit to the appropriate committees  
16 of Congress a report on the results of the study con-  
17 ducted under paragraph (1).

18 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
19 tion may be construed to affect the authority or jurisdic-  
20 tion of the Commission or confer upon the Under Sec-  
21 retary or any executive agency the power to direct the ac-  
22 tions of the Commission, either directly or indirectly.

23 (f) DEFINITIONS.—In this section:



1           (1) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Commerce, Science,  
5                   and Transportation of the Senate; and

6                   (B) the Committee on Energy and Com-  
7                   merce of the House of Representatives.

8           (2) COVERED AGENCIES.—The term “covered  
9           agencies” means—

10                   (A) the Commission;

11                   (B) the Department of Agriculture;

12                   (C) the NTIA;

13                   (D) the Department of Health and Human  
14                   Services;

15                   (E) the Appalachian Regional Commission;

16                   (F) the Delta Regional Authority;

17                   (G) the Economic Development Adminis-  
18                   tration;

19                   (H) the Department of Education;

20                   (I) the Department of the Treasury;

21                   (J) the Department of Transportation;

22                   (K) the Institute of Museum and Library  
23                   Services;

24                   (L) the Northern Border Regional Com-  
25                   mission;

1 (M) the Department of Housing and  
2 Urban Development; and

3 (N) the Department of the Interior.

4 (3) FEDERAL BROADBAND PROGRAM.—The  
5 term “Federal broadband program” means any pro-  
6 gram administered by a covered agency that is di-  
7 rectly or indirectly intended to increase the deploy-  
8 ment of, access to, the affordability of, or the adop-  
9 tion of broadband internet access service.

10 (4) IMPLEMENTATION PLAN.—The term “Im-  
11 plementation Plan” means the implementation plan  
12 developed under subsection (b)(1).

13 (5) STATE.—The term “State” means each  
14 State of the United States, the District of Columbia,  
15 and each commonwealth, territory, or possession of  
16 the United States.

17 (6) STRATEGY.—The term “Strategy” means  
18 the National Strategy to Close the Digital Divide de-  
19 veloped under subsection (a)(1).

1 **TITLE IV—OFFICE OF POLICY**  
2 **DEVELOPMENT AND CYBER-**  
3 **SECURITY**

4 **SEC. 401. OFFICE OF POLICY DEVELOPMENT AND CYBER-**  
5 **SECURITY.**

6 (a) IN GENERAL.—Part A of the National Tele-  
7 communications and Information Administration Organi-  
8 zation Act (47 U.S.C. 901 et seq.), as amended by the  
9 preceding provisions of this Act, is further amended by  
10 adding at the end the following:

11 **“SEC. 110. OFFICE OF POLICY DEVELOPMENT AND CYBER-**  
12 **SECURITY.**

13 “(a) ESTABLISHMENT.—There is established within  
14 the NTIA an Office of Policy Development and Cybersecu-  
15 rity (in this section referred to as the ‘Office’).

16 “(b) HEAD OF OFFICE.—

17 “(1) IN GENERAL.—The head of the Office  
18 shall be an Associate Administrator for Policy Devel-  
19 opment and Cybersecurity (in this section referred to  
20 as the ‘Associate Administrator’).

21 “(2) CAREER POSITION.—The position of Asso-  
22 ciate Administrator shall be a career position in the  
23 Senior Executive Service occupied by a career ap-  
24 pointee (as that term is defined in section  
25 3132(a)(4) of title 5, United States Code).

1           “(3) REQUIREMENT TO REPORT.—The Asso-  
2           ciate Administrator shall report to the Under Sec-  
3           retary (or a designee of the Under Secretary).

4           “(c) DUTIES.—

5           “(1) IN GENERAL.—The Associate Adminis-  
6           trator shall, at the direction of the Under Secretary,  
7           oversee and conduct national communications and  
8           information policy analysis and development for the  
9           internet and communications technologies.

10           “(2) PARTICULAR DUTIES.—In carrying out  
11           paragraph (1), the Associate Administrator shall, at  
12           the direction of the Under Secretary—

13           “(A) develop, analyze, and advocate for  
14           market-based policies that promote innovation,  
15           competition, consumer access, digital inclusion,  
16           workforce development, and economic growth in  
17           the communications, media, and technology  
18           markets;

19           “(B) conduct studies, as delegated by the  
20           Under Secretary or required by Congress, on  
21           how individuals in the United States access and  
22           use the internet, wireline and wireless teleph-  
23           ony, mass media, other digital services, and  
24           video services;

1           “(C) coordinate transparent, consensus-  
2 based, multistakeholder processes to create  
3 guidance for and to support the development  
4 and implementation of cybersecurity and pri-  
5 vacy policies with respect to the internet and  
6 other communications networks;

7           “(D) promote increased collaboration be-  
8 tween security researchers and providers of  
9 communications services and software system  
10 developers;

11           “(E) perform such duties as the Under  
12 Secretary considers appropriate relating to the  
13 program for preventing future vulnerabilities es-  
14 tablished under section 8(a) of the Secure and  
15 Trusted Communications Networks Act of 2019  
16 (47 U.S.C. 1607(a));

17           “(F) advocate for policies that promote the  
18 security and resilience to cybersecurity incidents  
19 of communications networks while fostering in-  
20 novation, including policies that promote secure  
21 communications network supply chains;

22           “(G) present security of the digital econ-  
23 omy and infrastructure and cybersecurity policy  
24 efforts before the Commission, Congress, and  
25 elsewhere;

1           “(H) provide advice and assistance to the  
2           Under Secretary in carrying out the policy re-  
3           sponsibilities of the NTIA with respect to cyber-  
4           security policy matters, including the evaluation  
5           of the impact of cybersecurity matters pending  
6           before the Commission, other Federal agencies,  
7           and Congress;

8           “(I) in addition to the duties described in  
9           subparagraph (H), perform such other duties  
10          regarding the policy responsibilities of the  
11          NTIA with respect to cybersecurity policy mat-  
12          ters as the Under Secretary considers appro-  
13          priate;

14          “(J) develop policies to accelerate innova-  
15          tion and commercialization with respect to ad-  
16          vances in technological understanding of com-  
17          munications technologies;

18          “(K) identify barriers to trust, security, in-  
19          novation, and commercialization with respect to  
20          communications technologies, including access  
21          to capital and other resources, and ways to  
22          overcome such barriers;

23          “(L) provide public access to relevant data,  
24          research, and technical assistance on innovation  
25          and commercialization with respect to commu-

1           communications technologies, consistent with the pro-  
2           tection of classified information;

3           “(M) strengthen collaboration on and co-  
4           ordination of policies relating to innovation and  
5           commercialization with respect to communica-  
6           tions technologies, including policies focused on  
7           the needs of small businesses and rural commu-  
8           nities—

9                   “(i) within the Department of Com-  
10                   merce;

11                   “(ii) between the Department of Com-  
12                   merce and State government agencies, as  
13                   appropriate; and

14                   “(iii) between the Department of  
15                   Commerce and the Commission or any  
16                   other Federal agency the Under Secretary  
17                   determines to be necessary; and

18           “(N) solicit and consider feedback from  
19           small and rural communications service pro-  
20           viders, as appropriate.”.

21           (b) REDESIGNATION OF ASSOCIATE ADMINISTRATOR;  
22           CONTINUATION OF SERVICE.—

23                   (1) REDESIGNATION.—The position of Asso-  
24                   ciate Administrator for Policy Analysis and Develop-  
25                   ment at the NTIA is hereby redesignated as the po-

1           sition of Associate Administrator for Policy Develop-  
2           ment and Cybersecurity.

3           (2) CONTINUATION OF SERVICE.—The indi-  
4           vidual serving as Associate Administrator for Policy  
5           Analysis and Development at the NTIA on the date  
6           of the enactment of this Act shall become, as of such  
7           date, the Associate Administrator for Policy Develop-  
8           ment and Cybersecurity.

9   **SEC. 402. ECONOMIC COMPETITIVENESS OF INFORMATION**  
10                   **AND COMMUNICATION TECHNOLOGY SUPPLY**  
11                   **CHAIN.**

12           (a) REPORT.—Not later than 1 year after the date  
13           of the enactment of this Act, the Secretary shall submit  
14           to the Committee on Energy and Commerce of the House  
15           of Representatives and the Committee on Commerce,  
16           Science, and Transportation of the Senate a report on the  
17           information and communication technology supply chain  
18           that—

19                   (1) identifies—

20                           (A) information and communication tech-  
21                           nology critical to the economic competitiveness  
22                           of the United States; and

23                           (B) the industrial capacity of—

24                                   (i) United States vendors that  
25                                   produce information and communication



1 technology identified under subparagraph  
2 (A); and

3 (ii) trusted information and commu-  
4 nication technology vendors that produce  
5 information and communication technology  
6 identified under subparagraph (A);

7 (2) assesses the economic competitiveness of  
8 vendors described under paragraph (1)(B);

9 (3) assesses whether, and to what extent, there  
10 is a dependence by providers of advanced tele-  
11 communications capability in the United States on  
12 information and communication technology identified  
13 under paragraph (1)(A) that is not trusted;

14 (4) identifies—

15 (A) what actions by the Federal Govern-  
16 ment are needed to support, and bolster the  
17 economic competitiveness of, trusted informa-  
18 tion and communication technology vendors;  
19 and

20 (B) what Federal resources are needed to  
21 reduce dependence by providers of advanced  
22 telecommunications capability in the United  
23 States on companies that—

24 (i) produce information and commu-  
25 nication technology; and

1 (ii) are not trusted; and

2 (5) defines lines of effort and assigns respon-  
3 sibilities for a whole-of-Government response to en-  
4 suring the competitiveness of the information and  
5 communication technology supply chain in the  
6 United States.

7 (b) WHOLE-OF-GOVERNMENT STRATEGY.—

8 (1) IN GENERAL.—The Secretary shall develop,  
9 on the basis of the report required by subsection (a),  
10 a whole-of-Government strategy to ensure the eco-  
11 nomic competitiveness of trusted information and  
12 communication technology vendors that includes—

13 (A) recommendations on how—

14 (i) to strengthen the structure, re-  
15 sources, and authorities of the Federal  
16 Government to support the economic com-  
17 petitiveness of trusted information and  
18 communication technology vendors, includ-  
19 ing United States vendors that are trusted  
20 information and communication technology  
21 vendors; and

22 (ii) the Federal Government can ad-  
23 dress any barriers to a market-based solu-  
24 tion for increasing the economic competi-

1                   tiveness of such information and commu-  
2                   nication technology vendors;

3                   (B) defined lines of effort and responsibil-  
4                   ities for Federal agencies to implement the  
5                   strategy; and

6                   (C) a description of—

7                   (i) any change to a Federal program,  
8                   Federal law, or structure of the Federal  
9                   Government necessary to implement any  
10                  recommendation under subparagraph (A);  
11                  and

12                  (ii) any additional Federal resource  
13                  necessary to implement any recommenda-  
14                  tion under subparagraph (A).

15                  (2) REPORT.—Not later than 180 days after  
16                  the submission of the report required by subsection  
17                  (a), the Secretary shall submit to the Committee on  
18                  Energy and Commerce of the House of Representa-  
19                  tives and the Committee on Commerce, Science, and  
20                  Transportation of the Senate a report containing the  
21                  strategy developed under paragraph (1).

22                  (c) CONSULTATION REQUIRED.—In carrying out sub-  
23                  sections (a) and (b), the Secretary shall consult with—

24                  (1) a cross-section of trusted information and  
25                  communication technology vendors; and

1           (2) the Secretary of State, the Secretary of  
2           Homeland Security, the Attorney General, the Direc-  
3           tor of National Intelligence, the Chair of the Com-  
4           mission, and any other head of an agency the Sec-  
5           retary determines necessary.

6           (d) DEFINITIONS.—In this section:

7           (1) ADVANCED TELECOMMUNICATIONS CAPA-  
8           BILITY.—The term “advanced telecommunications  
9           capability” has the meaning given that term in sec-  
10          tion 706(d) of the Telecommunications Act of 1996  
11          (47 U.S.C. 1302(d)).

12          (2) INFORMATION AND COMMUNICATION TECH-  
13          NOLOGY.—The term “information and communica-  
14          tion technology” means a technology (including soft-  
15          ware), component, or material that enables commu-  
16          nications by radio or wire.

17          (3) INFORMATION AND COMMUNICATION TECH-  
18          NOLOGY SUPPLY CHAIN.—The term “information  
19          and communication technology supply chain” means  
20          all of the companies that produce information and  
21          communication technology.

22          (4) NOT TRUSTED.—The term “not trusted”  
23          means, with respect to a company or information  
24          and communication technology, that the company or  
25          information and communication technology is deter-

1       mined by the Secretary to pose an unacceptable risk  
2       to the national security of the United States or the  
3       security and safety of United States persons based  
4       solely on one or more determinations described  
5       under paragraphs (1) through (4) of section 2(c) of  
6       the Secure and Trusted Communications Networks  
7       Act of 2019 (47 U.S.C. 1601(c)).

8               (5) SECRETARY.—The term “Secretary” means  
9       the Secretary of Commerce, acting through the  
10       Under Secretary.

11              (6) TRUSTED.—The term “trusted” means,  
12       with respect to a company, that the Secretary has  
13       not determined that the company is not trusted.

14              (7) TRUSTED INFORMATION AND COMMUNICA-  
15       TION TECHNOLOGY VENDOR.—The term “trusted in-  
16       formation and communication technology vendor”  
17       means a company—

18                      (A) that produces information and commu-  
19                      nication technology; and

20                      (B) that is trusted.

21       **SEC. 403. DIGITAL ECONOMY AND CYBERSECURITY BOARD**  
22                      **OF ADVISORS.**

23       Part A of the National Telecommunications and In-  
24       formation Administration Organization Act (47 U.S.C.  
25       901 et seq.), as amended by the preceding provisions of

1 this Act, is further amended by adding at the end the fol-  
2 lowing:

3 **“SEC. 110A. DIGITAL ECONOMY AND CYBERSECURITY**  
4 **BOARD OF ADVISORS.**

5 “(a) ESTABLISHMENT.—There is established within  
6 the NTIA a Digital Economy and Cybersecurity Board of  
7 Advisors (in this section referred to as the ‘Board’).

8 “(b) DUTIES.—The Board shall provide to the Under  
9 Secretary recommendations (for implementation by the  
10 Under Secretary or that the Under Secretary could rec-  
11 ommend for implementation by other appropriate entities)  
12 with respect to the following:

13 “(1) Technical cybersecurity best practices that  
14 enable economic growth while securing information  
15 and communications networks, including practices  
16 that Federal and non-Federal entities can implement  
17 to secure internet routing protocols, including the  
18 Border Gateway Protocol used by Federal and non-  
19 Federal entities.

20 “(2) Cybersecurity policies to support the devel-  
21 opment and implementation of cybersecurity prac-  
22 tices with respect to the internet and information  
23 and communications networks.

24 “(3) Policies that foster collaboration through  
25 public-private partnerships to promote the security

1 and resilience to cybersecurity incidents of informa-  
2 tion and communications networks while fostering  
3 innovation, including policies that promote secure  
4 supply chains for information and communications  
5 networks.

6 “(4) Policies to remove barriers to trust, secu-  
7 rity, innovation, and commercialization with respect  
8 to information and communications networks.

9 “(c) MEMBERS.—

10 “(1) COMPOSITION.—

11 “(A) IN GENERAL.—The Board shall be  
12 composed of not fewer than 5, and not more  
13 than 25, members appointed by the Under Sec-  
14 retary.

15 “(B) EXPERTISE.—Each member of the  
16 Board shall have cybersecurity or supply chain  
17 security technical expertise, cybersecurity or  
18 supply chain security policy expertise, or exper-  
19 tise in managing or overseeing the cybersecurity  
20 or supply chain security functions of a business.

21 “(C) REPRESENTATION.—In appointing  
22 members of the Board under subparagraph (A),  
23 the Under Secretary shall ensure that the mem-  
24 bers appointed provide a balanced representa-  
25 tion of the following:

1           “(i) Chief cybersecurity officers or  
2           other qualified individuals employed in cy-  
3           bersecurity positions, representing both the  
4           public and private sectors.

5           “(ii) Persons who operate or maintain  
6           information and communications networks,  
7           including persons who operate or maintain  
8           small or rural information and communica-  
9           tions networks.

10           “(iii) Vendors that produce or provide  
11           equipment used in information and com-  
12           munications networks.

13           “(iv) Vendors that produce or provide  
14           software used in information and commu-  
15           nications networks.

16           “(v) Persons who operate or maintain  
17           internet applications.

18           “(2) TERMS.—

19           “(A) IN GENERAL.—Except as provided in  
20           subparagraphs (C) and (D), each member of  
21           the Board shall be appointed for a term of a  
22           length not to exceed 2 years, to be determined  
23           by the Under Secretary.

24           “(B) REAPPOINTMENT.—A member of the  
25           Board, including a member appointed to fill a



1           vacancy as provided in subparagraph (D), may  
2           be reappointed for 1 or more additional terms  
3           by the Under Secretary.

4           “(C) REMOVAL.—The Under Secretary  
5           may remove a member of the Board at the dis-  
6           cretion of the Under Secretary.

7           “(D) VACANCY.—Any member of the  
8           Board appointed to fill a vacancy occurring be-  
9           fore the expiration of the term for which the  
10          predecessor of the member was appointed shall  
11          be appointed only for the remainder of such  
12          term. A vacancy in the Board shall be filled in  
13          the manner in which the original appointment  
14          was made.

15          “(3) CHAIR.—The Chair of the Board shall be  
16          the Associate Administrator of the NTIA for Policy  
17          Development and Cybersecurity.

18          “(4) COMPENSATION.—The members of the  
19          Board shall serve without compensation.

20          “(d) SUBCOMMITTEES.—

21                 “(1) AUTHORITY.—Subject to the approval of  
22                 the Under Secretary, as the Under Secretary deter-  
23                 mines necessary for the performance by the Board  
24                 of the duties described in subsection (b), the Board  
25                 may establish subcommittees, working groups,

1 standing committees, ad hoc groups, task groups, or  
2 other subgroups of the Board.

3 “(2) LIMITATION.—Any subcommittee, working  
4 group, standing committee, ad hoc group, task  
5 group, or other subgroup of the Board established  
6 under paragraph (1)—

7 “(A) shall report to the Board; and

8 “(B) may not provide any advice, rec-  
9 ommendation, or other work product directly to  
10 the Under Secretary.

11 “(e) TERMINATION.—Notwithstanding section 1013  
12 of title 5, United States Code, the Board shall terminate  
13 on the date that is 4 years after the date of the enactment  
14 of this section.

15 “(f) DEFINITIONS.—In this section:

16 “(1) BORDER GATEWAY PROTOCOL.—The term  
17 ‘Border Gateway Protocol’ means the routing pro-  
18 tocol used to exchange network reachability informa-  
19 tion among independently managed networks on the  
20 internet.

21 “(2) INFORMATION AND COMMUNICATIONS NET-  
22 WORK.—The term ‘information and communications  
23 network’ means a network that provides advanced  
24 telecommunications capability (as defined in section

1       706(d) of the Telecommunications Act of 1996 (47  
2       U.S.C. 1302(d)).”.

3       **SEC. 404. CYBERSECURITY LITERACY.**

4       (a) SENSE OF CONGRESS.—It is the sense of Con-  
5       gress that the United States has a national security and  
6       economic interest in promoting cybersecurity literacy  
7       amongst the general public.

8       (b) IN GENERAL.—The Under Secretary shall de-  
9       velop and conduct a cybersecurity literacy campaign  
10       (which shall be available in multiple languages and for-  
11       mats, if practicable) to increase the knowledge and aware-  
12       ness of individuals in the United States with respect to  
13       best practices to reduce cybersecurity risks.

14       (c) CAMPAIGN REQUIREMENTS.—In carrying out  
15       subsection (b), the Under Secretary shall—

16               (1) educate individuals in the United States on  
17       how to prevent and mitigate cyberattacks and cyber-  
18       security risks, including by—

19                       (A) instructing such individuals on how to  
20       identify—

21                               (i) phishing emails and messages; and

22                               (ii) secure websites;

23                       (B) instructing such individuals about the  
24       benefits of changing default passwords on hard-  
25       ware and software technology;

1 (C) encouraging the use of cybersecurity  
2 tools, including—

- 3 (i) multi-factor authentication;
- 4 (ii) complex passwords;
- 5 (iii) anti-virus software;
- 6 (iv) patching and updating software  
7 and applications; and
- 8 (v) virtual private networks;

9 (D) identifying the devices that could pose  
10 possible cybersecurity risks, including—

- 11 (i) personal computers;
- 12 (ii) smartphones;
- 13 (iii) tablets;
- 14 (iv) Wi-Fi routers;
- 15 (v) smart home appliances;
- 16 (vi) webcams;
- 17 (vii) internet-connected monitors; and
- 18 (viii) any other device that can be con-  
19 nected to the internet, including mobile de-  
20 vices other than smartphones and tablets;

21 (E) encouraging such individuals to—

- 22 (i) regularly review mobile application  
23 permissions;
- 24 (ii) decline privilege requests from mo-  
25 bile applications that are unnecessary;

1 (iii) download applications only from  
2 trusted vendors or sources; and

3 (iv) consider a product's life cycle and  
4 the developer or manufacturer's commit-  
5 ment to providing security updates during  
6 a connected device's expected period of use;  
7 and

8 (F) identifying the potential cybersecurity  
9 risks of using publicly available Wi-Fi networks  
10 and the methods a user may utilize to limit  
11 such risks; and

12 (2) encourage individuals in the United States  
13 to use resources to help mitigate the cybersecurity  
14 risks identified in this subsection.

15 **SEC. 405. UNDERSTANDING CYBERSECURITY OF MOBILE**  
16 **NETWORKS.**

17 (a) IN GENERAL.—Not later than 1 year after the  
18 date of the enactment of this Act, the Under Secretary,  
19 in consultation with the Department of Homeland Secu-  
20 rity, shall submit to the Committee on Energy and Com-  
21 merce of the House of Representatives and the Committee  
22 on Commerce, Science, and Transportation of the Senate  
23 a report examining the cybersecurity of mobile service net-  
24 works and the vulnerability of such networks and mobile

1 devices to cyberattacks and surveillance conducted by ad-  
2 versaries.

3 (b) MATTERS TO BE INCLUDED.—The report re-  
4 quired by subsection (a) shall include the following:

5 (1) An assessment of the degree to which pro-  
6 viders of mobile service have addressed, are address-  
7 ing, or have not addressed cybersecurity  
8 vulnerabilities (including vulnerabilities the exploi-  
9 tation of which could lead to surveillance conducted  
10 by adversaries) identified by academic and inde-  
11 pendent researchers, multistakeholder standards and  
12 technical organizations, industry experts, and Fed-  
13 eral agencies, including in relevant reports of—

14 (A) the NTIA;

15 (B) the National Institute of Standards  
16 and Technology; and

17 (C) the Department of Homeland Security,  
18 including—

19 (i) the Cybersecurity and Infrastruc-  
20 ture Security Agency; and

21 (ii) the Science and Technology Direc-  
22 torate.

23 (2) A discussion of—

24 (A) the degree to which customers (includ-  
25 ing consumers, companies, and government

1 agencies) consider cybersecurity as a factor  
2 when considering the purchase of mobile service  
3 and mobile devices; and

4 (B) the commercial availability of tools,  
5 frameworks, best practices, and other resources  
6 for enabling such customers to evaluate cyber-  
7 security risk and price tradeoffs.

8 (3) A discussion of the degree to which pro-  
9 viders of mobile service have implemented cybersecu-  
10 rity best practices and risk assessment frameworks.

11 (4) An estimate and discussion of the preva-  
12 lence and efficacy of encryption and authentication  
13 algorithms and techniques used in each of the fol-  
14 lowing:

15 (A) Mobile service.

16 (B) Mobile communications equipment or  
17 services.

18 (C) Commonly used mobile phones and  
19 other mobile devices.

20 (D) Commonly used mobile operating sys-  
21 tems and communications software and applica-  
22 tions.

23 (5) A discussion of the barriers for providers of  
24 mobile service to adopt more efficacious encryption  
25 and authentication algorithms and techniques and to

1 prohibit the use of older encryption and authentica-  
2 tion algorithms and techniques with established  
3 vulnerabilities in mobile service, mobile communica-  
4 tions equipment or services, and mobile phones and  
5 other mobile devices.

6 (6) An estimate and discussion of the preva-  
7 lence, usage, and availability of technologies that au-  
8 thenticate legitimate mobile service and mobile com-  
9 munications equipment or services to which mobile  
10 phones and other mobile devices are connected.

11 (7) An estimate and discussion of the preva-  
12 lence, costs, commercial availability, and usage by  
13 adversaries in the United States of cell site simula-  
14 tors (often known as international mobile subscriber  
15 identity catchers) and other mobile service surveil-  
16 lance and interception technologies.

17 (c) CONSULTATION.—In preparing the report re-  
18 quired by subsection (a), the Under Secretary shall, to the  
19 degree practicable, consult with—

20 (1) the Commission;

21 (2) the National Institute of Standards and  
22 Technology;

23 (3) the intelligence community;



1           (4) the Cybersecurity and Infrastructure Secu-  
2           rity Agency of the Department of Homeland Secu-  
3           rity;

4           (5) the Science and Technology Directorate of  
5           the Department of Homeland Security;

6           (6) academic and independent researchers with  
7           expertise in privacy, encryption, cybersecurity, and  
8           network threats;

9           (7) participants in multistakeholder standards  
10          and technical organizations (including the 3rd Gen-  
11          eration Partnership Project and the Internet Engi-  
12          neering Task Force);

13          (8) international stakeholders, in coordination  
14          with the Department of State as appropriate;

15          (9) providers of mobile service, including small  
16          providers (or the representatives of such providers)  
17          and rural providers (or the representatives of such  
18          providers);

19          (10) manufacturers, operators, and providers of  
20          mobile communications equipment or services and  
21          mobile phones and other mobile devices;

22          (11) developers of mobile operating systems and  
23          communications software and applications; and

24          (12) other experts that the Under Secretary  
25          considers appropriate.

1 (d) SCOPE OF REPORT.—The Under Secretary  
2 shall—

3 (1) limit the report required by subsection (a)  
4 to mobile service networks;

5 (2) exclude consideration of 5G protocols and  
6 networks in the report required by subsection (a);

7 (3) limit the assessment required by subsection  
8 (b)(1) to vulnerabilities that have been shown to  
9 be—

10 (A) exploited in non-laboratory settings; or

11 (B) feasibly and practicably exploitable in  
12 real-world conditions; and

13 (4) consider in the report required by sub-  
14 section (a) vulnerabilities that have been effectively  
15 mitigated by manufacturers of mobile phones and  
16 other mobile devices.

17 (e) FORM OF REPORT.—

18 (1) CLASSIFIED INFORMATION.—The report re-  
19 quired by subsection (a) shall be produced in unclas-  
20 sified form but may contain a classified annex.

21 (2) POTENTIALLY EXPLOITABLE UNCLASSIFIED  
22 INFORMATION.—The Under Secretary shall redact  
23 potentially exploitable unclassified information from  
24 the report required by subsection (a) but shall pro-

1       vide an unredacted form of the report to the com-  
2       mittees described in such subsection.

3       (f) DEFINITIONS.—In this section:

4           (1) ADVERSARY.—The term “adversary” in-  
5       cludes—

6           (A) any unauthorized hacker or other in-  
7       truder into a mobile service network; and

8           (B) any foreign government or foreign  
9       nongovernment person engaged in a long-term  
10      pattern or serious instances of conduct signifi-  
11      cantly adverse to the national security of the  
12      United States or security and safety of United  
13      States persons.

14          (2) ENTITY.—The term “entity” means a part-  
15      nership, association, trust, joint venture, corpora-  
16      tion, group, subgroup, or other organization.

17          (3) INTELLIGENCE COMMUNITY.—The term  
18      “intelligence community” has the meaning given  
19      that term in section 3 of the National Security Act  
20      of 1947 (50 U.S.C. 3003).

21          (4) MOBILE COMMUNICATIONS EQUIPMENT OR  
22      SERVICE.—The term “mobile communications equip-  
23      ment or service” means any equipment or service  
24      that is essential to the provision of mobile service.

1           (5) MOBILE SERVICE.—The term “mobile serv-  
2           ice” means, to the extent provided to United States  
3           customers, either or both of the following services:

4                   (A) Commercial mobile service (as defined  
5                   in section 332(d) of the Communications Act of  
6                   1934 (47 U.S.C. 332(d))).

7                   (B) Commercial mobile data service (as de-  
8                   fined in section 6001 of the Middle Class Tax  
9                   Relief and Job Creation Act of 2012 (47 U.S.C.  
10                  1401)).

11           (6) PERSON.—The term “person” means an in-  
12           dividual or entity.

13           (7) UNITED STATES PERSON.—The term  
14           “United States person” means—

15                   (A) an individual who is a United States  
16                   citizen or an alien lawfully admitted for perma-  
17                   nent residence to the United States;

18                   (B) an entity organized under the laws of  
19                   the United States or any jurisdiction within the  
20                   United States, including a foreign branch of  
21                   such an entity; or

22                   (C) any person in the United States.

1 **SEC. 406. OPEN RAN OUTREACH.**

2 (a) IN GENERAL.—The Under Secretary shall con-  
3 duct outreach and provide technical assistance to small  
4 communications network providers—

5 (1) to raise awareness regarding the uses, bene-  
6 fits, and challenges of Open RAN networks and  
7 other open network architectures; and

8 (2) regarding participation in the grant pro-  
9 gram established under section 9202(a)(1) of the  
10 William M. (Mac) Thornberry National Defense Au-  
11 thorization Act for Fiscal Year 2021 (47 U.S.C.  
12 906(a)(1)).

13 (b) DEFINITIONS.—In this section:

14 (1) UNDER SECRETARY.—The term “Under  
15 Secretary” means the Under Secretary, acting  
16 through the head of the Office of Internet  
17 Connectivity and Growth.

18 (2) OPEN NETWORK ARCHITECTURE.—The  
19 term “open network architecture” means Open RAN  
20 networks and other network elements that follow a  
21 set of published open standards for multi-vendor  
22 network equipment interoperability, including open  
23 core and open transport.

24 (3) OPEN RAN NETWORK.—The term “Open  
25 RAN network” means a wireless network that fol-  
26 lows the Open Radio Access Network approach to

1 standardization adopted by the O-RAN Alliance,  
2 Telecom Infra Project, or Third Generation Partner-  
3 ship Project (3GPP), or any similar set of published  
4 open standards for multi-vendor network equipment  
5 interoperability.

## 6 **TITLE V—OFFICE OF PUBLIC** 7 **SAFETY COMMUNICATIONS**

### 8 **SEC. 501. ESTABLISHMENT OF THE OFFICE OF PUBLIC** 9 **SAFETY COMMUNICATIONS.**

10 Part A of the National Telecommunications and In-  
11 formation Administration Organization Act (47 U.S.C.  
12 901 et seq.), as amended by the preceding provisions of  
13 this Act, is further amended by adding at the end the fol-  
14 lowing:

### 15 **“SEC. 110B. ESTABLISHMENT OF THE OFFICE OF PUBLIC** 16 **SAFETY COMMUNICATIONS.**

17 “(a) ESTABLISHMENT.—There is established within  
18 the NTIA an Office of Public Safety Communications (in  
19 this section referred to as the ‘Office’).

20 “(b) HEAD OF OFFICE.—

21 “(1) IN GENERAL.—The head of the Office  
22 shall be an Associate Administrator for Public Safe-  
23 ty Communications (in this section referred to as the  
24 ‘Associate Administrator’).

1           “(2) CAREER POSITION.—The position of Asso-  
2           ciate Administrator shall be a career position in the  
3           Senior Executive Service occupied by a career ap-  
4           pointee (as that term is defined in section  
5           3132(a)(4) of title 5, United States Code).

6           “(3) REQUIREMENT TO REPORT.—The Asso-  
7           ciate Administrator shall report to the Under Sec-  
8           retary (or a designee of the Under Secretary).

9           “(c) DUTIES.—The Associate Administrator shall, at  
10          the direction of the Under Secretary—

11           “(1) administer any grant program of the Fed-  
12           eral Government related to Next Generation 9–1–1  
13           on behalf of the Under Secretary;

14           “(2) analyze public safety policy communica-  
15           tions issues, including by obtaining such analysis;

16           “(3) provide to the Under Secretary advice and  
17           assistance with respect to the Under Secretary—

18           “(A) carrying out the responsibilities of the  
19           NTIA related to public safety communications  
20           policy; and

21           “(B) evaluating the domestic impact of  
22           public safety communications matters pending  
23           before the Commission, Congress, or other enti-  
24           ties of the executive branch of the Federal Gov-  
25           ernment;

1           “(4) carry out any duties established under sec-  
2           tion 10 of Department Organizational Order 25–7 of  
3           the Department of Commerce titled ‘National Tele-  
4           communications and Information Administration’,  
5           effective September 17, 2012;

6           “(5) be responsible for the oversight of the  
7           studies carried out by the Federal Government relat-  
8           ing to enhancing public safety communications;

9           “(6) coordinate with the head of the Institute  
10          of Telecommunication Sciences with respect to the  
11          initiative established under section 108(b);

12          “(7) communicate public safety communications  
13          policies to public entities, including the Commission  
14          and Congress, or private entities; and

15          “(8) carry out any duties regarding the respon-  
16          sibilities of the NTIA with respect to public safety  
17          communications policy as the Under Secretary may  
18          designate.

19          “(d) COORDINATION.—The Associate Administrator  
20          shall, as the Under Secretary determines applicable, co-  
21          ordinate with Federal, State, local, and tribal government  
22          entities that are engaged in public safety communications  
23          in carrying out the duties of the Office.”.



1                   **TITLE VI—OFFICE OF**  
2                   **INTERNATIONAL AFFAIRS**

3 **SEC. 601. OFFICE OF INTERNATIONAL AFFAIRS.**

4           Part A of the National Telecommunications and In-  
5 formation Administration Organization Act (47 U.S.C.  
6 901 et seq.), as amended by the preceding provisions of  
7 this Act, is further amended by adding at the end the fol-  
8 lowing:

9 **“SEC. 110C. OFFICE OF INTERNATIONAL AFFAIRS.**

10           “(a) **ESTABLISHMENT.**—There is established within  
11 the NTIA an Office of International Affairs (in this sec-  
12 tion referred to as the ‘Office’).

13           “(b) **HEAD OF OFFICE.**—

14                   “(1) **IN GENERAL.**—The head of the Office  
15 shall be an Associate Administrator for International  
16 Affairs (in this section referred to as the ‘Associate  
17 Administrator’).

18                   “(2) **CAREER POSITION.**—The position of Asso-  
19 ciate Administrator shall be a career position in the  
20 Senior Executive Service occupied by a career ap-  
21 pointee (as that term is defined in section  
22 3132(a)(4) of title 5, United States Code).

23                   “(3) **REQUIREMENT TO REPORT.**—The Asso-  
24 ciate Administrator shall report to the Under Sec-  
25 retary (or a designee of the Under Secretary).

1           “(c) DUTIES.—The Associate Administrator shall, at  
2 the direction of the Under Secretary—

3           “(1) conduct analysis of, review, and formulate  
4 international telecommunications and information  
5 policy;

6           “(2) present on international telecommuni-  
7 cations and information policy before the Commis-  
8 sion, Congress, international telecommunications  
9 bodies, including the International Telecommuni-  
10 cation Union, and others;

11           “(3) conduct or obtain analysis on economic  
12 and other aspects of international telecommuni-  
13 cations and information policy;

14           “(4) formulate, and recommend to the Under  
15 Secretary, polices and plans with respect to prepara-  
16 tion for and participation in international tele-  
17 communications and information policy activities;

18           “(5) coordinate NTIA and interdepartmental  
19 economic, technical, operational, and other prepara-  
20 tions related to participation by the United States in  
21 international telecommunications and information  
22 policy conferences and negotiations;

23           “(6) ensure NTIA representation with respect  
24 to international telecommunications and information

1 policy meetings and the activities related to prepara-  
2 tion for such meetings;

3 “(7) coordinate with Federal agencies and pri-  
4 vate organizations engaged in activities involving  
5 international telecommunications and information  
6 policy matters and maintain cognizance of the activi-  
7 ties of United States signatories with respect to re-  
8 lated treaties, agreements, and other instruments;

9 “(8) provide advice and assistance related to  
10 international telecommunications and information  
11 policy to other Federal agencies charged with re-  
12 sponsibility for international negotiations, to  
13 strengthen the position and serve the best interests  
14 of the United States in the conduct of negotiations  
15 with foreign nations;

16 “(9) provide advice and assistance to the Under  
17 Secretary with respect to evaluating the inter-  
18 national impact of matters pending before the Com-  
19 mission, other Federal agencies, and Congress;

20 “(10) carry out, at the request of the Secretary,  
21 the responsibilities of the Secretary under the Com-  
22 munications Satellite Act of 1962 (47 U.S.C. 701 et  
23 seq.) and other Federal laws related to international  
24 telecommunications and information policy; and

1           “(11) carry out any other duties of the NTIA  
2           with respect to international telecommunications and  
3           information policy that the Under Secretary may  
4           designate.”.

5 **SEC. 602. ESTABLISHMENT OF INTERAGENCY NATIONAL**  
6 **SECURITY REVIEW PROCESS.**

7           (a) IN GENERAL.—Part A of the National Tele-  
8           communications and Information Administration Organi-  
9           zation Act (47 U.S.C. 901 et seq.), as amended by the  
10          preceding provisions of this Act, is further amended by  
11          adding at the end the following:

12 **“SEC. 110D. ESTABLISHMENT OF INTERAGENCY NATIONAL**  
13 **SECURITY REVIEW PROCESS.**

14          “(a) ESTABLISHMENT AND TRANSITION.—

15                 “(1) ESTABLISHMENT.—Not later than 180  
16                 days after the date of the enactment of this section,  
17                 the Under Secretary, in coordination with the head  
18                 of each appropriate Federal entity, shall develop and  
19                 issue procedures for, and establish, an interagency  
20                 review process (which shall include each appropriate  
21                 Federal entity) that considers the law enforcement  
22                 and national security policy implications of the ap-  
23                 proval of a covered application that may arise from  
24                 the foreign ownership interests held in the covered  
25                 applicant that submitted the covered application.

1           “(2) TRANSITION.—Upon establishment of the  
2 review process under paragraph (1), the Committee  
3 for the Assessment of Foreign Participation in the  
4 United States Telecommunications Services Sector,  
5 established by Executive Order 13913 (85 Fed. Reg.  
6 19643), shall terminate.

7           “(b) APPLICABILITY.—Any covered application pend-  
8 ing before the Commission that was submitted by a cov-  
9 ered applicant that meets or exceeds the threshold foreign  
10 ownership limit is subject to review under the review proc-  
11 ess established pursuant to subsection (a).

12           “(c) PROCESS AND PROCEDURAL REQUIREMENTS.—

13           “(1) REFERRAL FOR REVIEW.—

14           “(A) REQUIREMENT FOR FCC TO REFER  
15 COMPLETE APPLICATION.—The Commission  
16 shall refer any covered application subject to  
17 the review process established pursuant to sub-  
18 section (a) to the Under Secretary promptly  
19 after the Commission determines that the cov-  
20 ered application, under the rules and regula-  
21 tions of the Commission, is complete.

22           “(B) REFERRAL OF OTHER REQUESTS.—

23 The Commission may refer for review under the  
24 review process established pursuant to sub-  
25 section (a) any other request for action by the

1 Commission for which the Commission deter-  
2 mines review is necessary under such process.

3 “(2) INTERAGENCY REVIEW DEADLINE; DETER-  
4 MINATION.—

5 “(A) IN GENERAL.—Not later than 120  
6 days after the date on which the Under Sec-  
7 retary receives a referral from the Commission  
8 pursuant to paragraph (1)—

9 “(i) the review of the covered applica-  
10 tion or other request under the review  
11 process established pursuant to subsection  
12 (a) shall be completed; and

13 “(ii) the Under Secretary, in coordi-  
14 nation with the head of each appropriate  
15 Federal entity, shall make a determina-  
16 tion—

17 “(I) to recommend to the Com-  
18 mission that the Commission grant,  
19 grant conditioned on mitigation, or  
20 deny the covered application or other  
21 request; or

22 “(II) that the Under Secretary  
23 cannot make a recommendation with  
24 respect to the covered application or  
25 other request.

1           “(B) PRESIDENTIAL DETERMINATION.—If  
2           the Under Secretary determines under subpara-  
3           graph (A)(ii)(II) that the Under Secretary can-  
4           not make a recommendation with respect to the  
5           covered application or other request, the Presi-  
6           dent, not later than 15 days after the Under  
7           Secretary makes such determination, shall  
8           make a determination to recommend to the  
9           Commission that the Commission grant, grant  
10          conditioned on mitigation, or deny the covered  
11          application or other request.

12          “(C) EXTENSION.—The Under Secretary,  
13          in coordination with the head of each appro-  
14          priate Federal entity, may extend the deadline  
15          described in subparagraph (A) an additional 45  
16          days.

17          “(D) NOTIFICATION OF EXTENSION.—If  
18          the Under Secretary, in coordination with the  
19          head of each appropriate Federal entity, ex-  
20          tends a deadline pursuant to subparagraph (C),  
21          the Under Secretary shall provide notice of the  
22          extension to the covered applicant or other re-  
23          questing party, the Commission, Congress, and  
24          any executive agency the Under Secretary de-  
25          termines appropriate.

1           “(3) NOTIFICATION OF DETERMINATION.—Not  
2 later than 7 days (excepting Saturdays, Sundays,  
3 and legal holidays) after the Under Secretary or the  
4 President (as the case may be) makes a determina-  
5 tion under paragraph (2) to recommend that the  
6 Commission grant, grant conditioned on mitigation,  
7 or deny the application or other request, the Under  
8 Secretary shall notify, in writing, the Commission  
9 and the covered applicant or other requesting party  
10 of the determination.

11           “(4) DISCLOSURE OF STATUS OF REVIEW.—Not  
12 later than 5 days (excepting Saturdays, Sundays,  
13 and legal holidays) after receiving an inquiry from a  
14 covered applicant or other requesting party, the  
15 Commission, Congress, or an appropriate executive  
16 agency (as determined by the Under Secretary) for  
17 an update with respect to the status of the review  
18 of a relevant covered application or other request  
19 that was referred by the Commission for review  
20 under the review process established pursuant to  
21 subsection (a), the Under Secretary, in coordination  
22 with the head of each appropriate Federal entity,  
23 shall provide, consistent with the protection of classi-  
24 fied information and intelligence sources and meth-



1       ods, a complete and accurate written response to  
2       such inquiry.

3           “(5) STANDARDIZATION OF INFORMATION RE-  
4       QUIRED.—With respect to the review process estab-  
5       lished pursuant to subsection (a), the Under Sec-  
6       retary, in coordination with the Commission and the  
7       head of each appropriate Federal entity, shall estab-  
8       lish a list of questions requesting written informa-  
9       tion from a covered applicant or other requesting  
10      party that shall be made publicly available and post-  
11      ed on the internet website of the NTIA. Such ques-  
12      tions shall, to the maximum extent possible, be  
13      standardized for any potential covered applicant or  
14      other requesting party.

15           “(6) DEADLINE FOR PROVISION OF INFORMA-  
16      TION REQUESTED.—Not later than 10 days (except-  
17      ing Saturdays, Sundays, and legal holidays) after  
18      the date on which the Under Secretary, in coordina-  
19      tion with the head of each appropriate Federal enti-  
20      ty, requests information from a covered applicant or  
21      other requesting party, the covered applicant or  
22      other requesting party shall submit, in writing, to  
23      the NTIA complete and accurate responses.

24           “(d) CONFIDENTIALITY OF INFORMATION.—

1           “(1) IN GENERAL.—Except as provided in para-  
2           graph (2), any information or documentary material  
3           provided to the Under Secretary under the review  
4           process established pursuant to subsection (a) shall  
5           be exempt from disclosure under section 552 of title  
6           5, United States Code, and no such information or  
7           documentary material may be made public.

8           “(2) EXCEPTIONS.—Paragraph (1) does not  
9           prohibit disclosure of the following:

10                   “(A) Information disclosed for purposes of  
11                   an administrative or judicial action or pro-  
12                   ceeding, subject to appropriate confidentiality  
13                   and classification requirements.

14                   “(B) Information disclosed to Congress or  
15                   a duly authorized committee or subcommittee of  
16                   Congress, subject to appropriate confidentiality  
17                   and classification requirements.

18                   “(C) Information disclosed to a domestic  
19                   governmental entity, or to a foreign govern-  
20                   mental entity of a United States ally or part-  
21                   ner, under the exclusive direction and author-  
22                   ization of the Under Secretary, only to the ex-  
23                   tent necessary for national security purposes  
24                   and subject to appropriate confidentiality and  
25                   classification requirements, including that con-

1            confidential information disclosed shall remain con-  
2            fidential.

3            “(D) Information disclosed to a third party  
4            by mutual agreement of each relevant covered  
5            applicant and the Under Secretary, in consulta-  
6            tion with appropriate Federal entities.

7            “(e) RULE OF CONSTRUCTION.—Except as provided  
8            in subsection (d), nothing in this section may be construed  
9            as limiting, superseding, or preventing the invocation of  
10           any privileges or defenses that are otherwise available at  
11           law or in equity to protect against the disclosure of infor-  
12           mation.

13           “(f) DEFINITIONS.—In this section:

14           “(1) APPROPRIATE CONGRESSIONAL COMMIT-  
15           TEES.—The term ‘appropriate congressional com-  
16           mittees’ means the Committee on Energy and Com-  
17           merce of the House of Representatives and the Com-  
18           mittee on Commerce, Science, and Transportation of  
19           the Senate.

20           “(2) APPROPRIATE FEDERAL ENTITIES.—The  
21           term ‘appropriate Federal entities’ means the fol-  
22           lowing:

23           “(A) The Department of Commerce.

24           “(B) The Department of Defense.

1           “(C) The Department of Homeland Secu-  
2           rity.

3           “(D) The Department of Justice.

4           “(E) The Department of the Treasury.

5           “(F) The Department of State.

6           “(G) The United States Trade Representa-  
7           tive.

8           “(H) The Executive Office of the Presi-  
9           dent.

10           “(I) The Office of the Director of National  
11           Intelligence.

12           “(3) CLASSIFIED INFORMATION.—The term  
13           ‘classified information’ means any information or  
14           material that has been determined by the Federal  
15           Government pursuant to an Executive order, statute,  
16           or regulation, to require protection against unau-  
17           thorized disclosure for reasons of national security.

18           “(4) COVERED APPLICANT.—The term ‘covered  
19           applicant’ means an entity seeking approval of a  
20           covered application from the Commission.

21           “(5) COVERED APPLICATION.—

22           “(A) IN GENERAL.—The term ‘covered ap-  
23           plication’ means—

24                   “(i) an application under section  
25                   214(a) of the Communications Act of 1934

1 (47 U.S.C. 214(a)) for authorization to  
2 undertake the construction of a new line or  
3 of an extension of any line, or to acquire  
4 or operate any line, or extension thereof, or  
5 to engage in transmission over or by  
6 means of such additional or extended line;

7 “(ii) an application under the Act ti-  
8 tled ‘An Act relating to the landing and  
9 operation of submarine cables in the  
10 United States,’ approved May 27, 1921  
11 (47 U.S.C. 34 et seq.; 42 Stat. 8) for—

12 “(I) a submarine cable landing li-  
13 cense; or

14 “(II) an assignment, modifica-  
15 tion, or transfer of control of a sub-  
16 marine cable landing license; or

17 “(iii) an application for a new license,  
18 or for the transfer, assignment, or disposal  
19 of an existing license under section 310(d)  
20 of the Communications Act of 1934 (47  
21 U.S.C. 310(d)), that is—

22 “(I) subject to approval by the  
23 Commission under section 310(b)(4)  
24 of such Act (47 U.S.C. 310(b)(4)); or

1 “(II) eligible, under the rules of  
2 the Commission, for forbearance  
3 under section 10 of such Act (47  
4 U.S.C. 160) from the application of  
5 paragraph (3) of section 310(b) of  
6 such Act (47 U.S.C. 310(b)).

7 “(B) LIMITATION.—The term ‘covered ap-  
8 plication’ does not include the following:

9 “(i) An application described in sub-  
10 paragraph (A) with respect to which the  
11 applicant seeks to transfer, assign, or oth-  
12 erwise dispose of an authorization or li-  
13 cense to an entity that—

14 “(I) is owned or controlled by  
15 such applicant;

16 “(II) owns or controls such appli-  
17 cant; or

18 “(III) is under common owner-  
19 ship or control with such applicant.

20 “(ii) An application described in sub-  
21 paragraph (A) with respect to which the  
22 applicant—

23 “(I) is an applicant that has been  
24 previously approved under the review

1 process established pursuant to sub-  
2 section (a); and

3 “(II) at the time of such applica-  
4 tion does not have a level of foreign  
5 ownership that is more than 10 per-  
6 cent greater than the level of foreign  
7 ownership of such applicant—

8 “(aa) except as provided in  
9 item (bb), at any time such appli-  
10 cant was previously approved  
11 under the review process estab-  
12 lished pursuant to subsection (a);  
13 or

14 “(bb) if such applicant has  
15 been subjected to the review  
16 process established pursuant to  
17 subsection (a) as a result of ex-  
18 ceeding a level of foreign owner-  
19 ship pursuant to this clause, at  
20 the time such applicant was most  
21 recently approved under such re-  
22 view process after having been  
23 subjected to such review process  
24 as a result of exceeding a level of

1 foreign ownership pursuant to  
2 this clause.

3 “(iii) An application described in sub-  
4 paragraph (A)(i) that is domestic.

5 “(iv) An application described in sub-  
6 paragraph (A) with respect to which the  
7 foreign ownership interests of the applicant  
8 are held by wholly owned intermediate  
9 holding companies that are controlled by—

10 “(I) a citizen of the United  
11 States; or

12 “(II) an entity organized under  
13 the laws of the United States.

14 “(6) THRESHOLD FOREIGN OWNERSHIP  
15 LIMIT.—The term ‘threshold foreign ownership limit’  
16 means foreign ownership of, as applicable—

17 “(A) at least the amount determined by  
18 the Commission under section 214(a) of the  
19 Communications Act of 1934 (47 U.S.C.  
20 214(a)), in the case of an application described  
21 in paragraph (5)(A)(i) of this subsection;

22 “(B) any amount, in the case of an appli-  
23 cation described in paragraph (5)(A)(ii) of this  
24 subsection;



1           “(C) at least an amount sufficient for  
2           paragraph (3) or (4) of section 310(b) of such  
3           Act (47 U.S.C. 310(b)) to apply, in the case of  
4           an application described in paragraph  
5           (5)(A)(iii) of this subsection; or

6           “(D) any amount, in the case of any appli-  
7           cation described in paragraph (5)(A) of this  
8           subsection if the foreign ownership is held by a  
9           foreign adversary (as specified in section 7.4 of  
10          title 15, Code of Federal Regulations (or a suc-  
11          cessor regulation)).”.

12          (b) **APPLICABILITY.**—This section, and the amend-  
13          ment made by this section, shall apply to any covered ap-  
14          plication (as such term is defined in section 110D of the  
15          National Telecommunications and Information Adminis-  
16          tration Organization Act, as added by subsection (a)) filed  
17          on or after the date on which the review process is estab-  
18          lished pursuant to such section 110D.

