To require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2019

Ms. Spanberger (for herself, Ms. Stefanik, Ms. Slotkin, Mr. Rooney of Florida, Mr. O'Halleran, and Mrs. Brooks of Indiana) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

Be it enacted by the Senate and House of Representa-
SECTION 1. SHORT TITLE.

This Act may be cited as the “Secure 5G and Beyond Act of 2019”.

SEC. 2. STRATEGY TO ENSURE SECURITY OF NEXT GENERATION MOBILE TELECOMMUNICATIONS SYSTEMS AND INFRASTRUCTURE.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

(b) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the Chairman of the Federal Communications Commission, the Administrator of the National Telecommunications and Information Administration, the Secretary of Homeland Security, the Director of National
Intelligence, the Attorney General, and the Secretary of Defense, shall develop and submit to the appropriate committees of Congress a strategy—

(1) to ensure the security of 5th and future generations mobile telecommunications systems and infrastructure within the United States;

(2) to assist mutual defense treaty allies of the United States, strategic partners of the United States, and other countries, when in the security interests of the United States, in maximizing the security of 5th and future generations mobile telecommunications systems and infrastructure inside their countries; and

(3) to protect the competitiveness of United States companies, privacy of United States consumers, and integrity of standards setting bodies against political influence.

(c) DESIGNATION.—The strategy developed under subsection (b) shall be known as the “Secure Next Generation Mobile Communications Strategy”.

(d) ELEMENTS.—The strategy required by subsection (b) shall represent a whole-of-government approach and shall include the following:

(1) A description of United States national and economic security interests pertaining to the deploy-
ment of 5th and future generations mobile telecommunications systems and infrastructure.

(2) An identification and assessment of potential security threats and vulnerabilities to the infrastructure, equipment, systems, software, and virtually defined networks that support 5th and future generations mobile telecommunications systems and infrastructure.

(3) A list of available domestic suppliers of 5th and future generations telecommunications equipment and other suppliers in countries that are mutual defense allies or strategic partners of the United States and a strategy to assess their ability to produce and supply 5th generation and future generations telecommunications systems and infrastructure.

(4) Identification of trusted supplier entities from both inside and outside the United States that are capable of producing and supplying to private industry infrastructure and systems equipment supporting 5th and future generations mobile telecommunications systems and infrastructure.

(5) Identification of where security gaps exist in the United States domestic or mutual defense treaty allies and strategic partners telecommunications
equipment supply chain for 5th and future generations infrastructure and systems equipment.

(6) Identification of incentives and policy options to help close or narrow such security gaps in the United States domestic industrial base, including research and development in critical technologies and workforce development in new generation technologies.

(7) Identification of incentives and policy options for leveraging the telecommunications equipment suppliers from mutual defense treaty allies, strategic partners, and other countries to ensure that private industry in the United States has adequate sources for secure, effective, and reliable 5th and future generations mobile telecommunications systems and infrastructure equipment.

(8) A strategy for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share security risk information and findings pertaining to 5th and future generations mobile telecommunications systems and infrastructure equipment and cooperation on mitigating those risks.

(9) A strategy for engagements with private sector telecommunications infrastructure and sys-
tems equipment developers to share information and findings on 5th and future generations mobile tele-
communication systems and infrastructure equipment standards to secure platforms.

(10) A strategy for diplomatic engagements with mutual defense treaty allies, strategic partners,
and other countries to share information and findings on 5th and future generations mobile tele-
communication systems and infrastructure equipment standards and standards setting bodies to pro-
mote maximum interoperability, competitiveness, openness, and secure platforms.

(11) A strategy for joint testing environments with mutual defense treaty allies, strategic partners,
and other countries to ensure a trusted marketplace for 5th and future generations mobile telecommuni-
cation systems and infrastructure equipment.

(12) A strategy for research and development by the Federal Government, in close partnership with trusted supplier entities, mutual defense treaty allies, strategic partners, and other countries to reach and maintain United States leadership in 5th and future generations communications security, in-
cluding the development of an ongoing monitoring
capability of 5th and future generations telecommunications systems for security vulnerabilities.

(13) Options for identifying and helping to mitigate the security risks of 5th and future generations telecommunications systems and infrastructure equipment with security flaws or vulnerabilities or equipment sourced from countries of concern that have already been put in place within mutual defense treaty allies, strategic partners, and other countries, when in the security interests of the United States.

(14) A description of the appropriate roles and missions of the Federal Communications Commission, the National Telecommunications and Information Administration, the Department of Homeland Security, the intelligence community, the Department of Justice, and the Department of Defense in executing the strategy.

(15) Development of a plan that includes interagency mechanisms for the National Telecommunications and Information Administration to act as the executive agent to coordinate implementation of the strategy.

(16) An identification of the key diplomatic, development, intelligence, military, and economic re-
sources necessary to implement the strategy, including specific budgetary requests.

(17) A description of such legislative or administrative action as may be necessary to carry out the strategy.

(e) LIMITATION.—The strategy required by subsection (b) shall not include a recommendation or a proposal to Federalize 5th or future generations mobile telecommunications systems or infrastructure.

(f) BRIEFING.—Not later than 14 days after the date on which the strategy required by subsection (b) is completed, the President’s designee shall provide to the appropriate committees of Congress a briefing on the implementation of the strategy.

(g) IMPLEMENTATION.—The National Telecommunications and Information Administration shall act as the executive agent to coordinate implementation of the strategy, and keep congressional committees apprised of progress on implementation.

(h) FORM.—The strategy submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.