

118TH CONGRESS
1ST SESSION

H. R. 1370

To direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2023

Ms. SLOTKIN (for herself and Mr. WALBERG) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Communications Secu-
5 rity Act”.

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

3 (a) ESTABLISHMENT.—Not later than 90 days after
4 the date of the enactment of this Act, the Commission
5 shall—

6 (1) establish a council to advise the Commission
7 on issues including the security, reliability, and
8 interoperability of communications networks; or

9 (2) designate for purposes of this section an ad-
10 visory committee of the Commission that is oper-
11 ating on the date of the enactment of this Act under
12 a charter for the purpose of addressing the issues
13 described in paragraph (1) and, if the membership
14 of such committee does not comply with subsection
15 (b), modify such membership to comply with such
16 subsection.

17 (b) MEMBERSHIP.—

18 (1) APPOINTMENT.—The members of the coun-
19 cil shall be appointed by the Chair.

20 (2) COMPOSITION.—To the extent practicable,
21 the membership of the council shall be composed of
22 the following:

23 (A) Representatives of companies in the
24 communications industry, except companies
25 that are determined by the Chair to be not
26 trusted.

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

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

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

14 (4) TERMS.—

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

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

25 (c) REPORTS.—

1 (1) IN GENERAL.—Not later than 2 years after
2 the date on which the council is established or des-
3 ignated (as the case may be) under subsection (a),
4 and every 2 years thereafter, the council shall sub-
5 mit to the Chair each report adopted by the council
6 during the preceding 2-year period, and any report
7 adopted by any working group of the council during
8 such period, including any such report of the council
9 or a working group containing recommendations on
10 ways to increase the security, reliability, and inter-
11 operability of communications networks, and on
12 other relevant issues as appropriate.

13 (2) AVAILABILITY ON COMMISSION WEBSITE.—
14 The Commission shall make each report submitted
15 under paragraph (1) publicly available on the
16 website of the Commission.

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

20 (e) DEFINITIONS.—In this section:

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

23 (2) COMMISSION.—The term “Commission”
24 means the Federal Communications Commission.

1 (3) COUNCIL.—The term “council” means the
2 council established under subsection (a)(1) or the
3 advisory committee designated under subsection
4 (a)(2), as the case may be.

5 (4) NOT TRUSTED.—

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

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

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

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

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

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