

The House will resume proceedings on postponed questions at a later time.

COUNTERING UNTRUSTED TELECOMMUNICATIONS ABROAD ACT

Mr. MAST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1149) to establish certain reporting and other requirements relating to telecommunications equipment and services produced or provided by certain entities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Countering Untrusted Telecommunications Abroad Act”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the national security of the United States is affected by the telecommunications security of United States allies, partners, and other countries around the globe;

(2) the importance of mobile and internet services makes such services tempting and effective tools for malign influence and economic coercion;

(3) Huawei Technologies Company and ZTE Corporation (and any subsidiary or affiliate of either such entity) should not serve as a vendor of telecommunications equipment or services given the close ties to, and control over, such entities by the People's Republic of China; and

(4) it is in the economic and national security interests of the United States to ensure that countries around the globe use trusted telecommunications equipment or services.

SEC. 3. REPORT ON UNTRUSTED TELECOMMUNICATIONS EQUIPMENT OR SERVICES IN COUNTRIES WITH COLLECTIVE DEFENSE AGREEMENT WITH UNITED STATES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of State, in consultation with the Assistant Secretary of Commerce for Communications and Information, shall submit to the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives and the Committees on Foreign Relations and Commerce, Science, and Transportation of the Senate a report on the prevalence of untrusted telecommunications equipment or services in the networks of United States allies and partners.

(b) MATTERS.—The report under subsection (a) shall enumerate each United States ally or partner with respect to which the United States has entered into a collective defense agreement and include, for each such country, the following:

(1) A description of the presence, or lack thereof, of untrusted telecommunications equipment or services in any 5G network of the country.

(2) If any untrusted telecommunications equipment or service is present in such a network—

(A) an enumeration of any mobile carriers that are using the untrusted telecommunications equipment or service present, and any mobile carriers that are not;

(B) a determination of whether the untrusted telecommunications equipment or service present is in the core or periphery of the network; and

(C) any plans by the United States ally or partner, or the individual mobile carrier, to rip and replace the untrusted telecommunications equipment or service present with a trusted telecommunications equipment or service.

(3) A description of any plans by network operators to use untrusted telecommunications equipment or services in the deployment of Open Radio Access Network (Open RAN) technology, or any successor to such technology, or in future 6G networks.

SEC. 4. REPORT ON COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES IN UNITED STATES EMBASSIES.

(a) FINDINGS.—Congress finds the following:

(1) The Comptroller General of the United States has reported that 23 percent of all telecommunications device manufacturers of the Department of State have at least one supplier reported to be headquartered in the People's Republic of China or the Russian Federation.

(2) The Comptroller General has reported that four percent of all telecommunications contractors of the Department of State have at least one supplier reported to be headquartered in the People's Republic of China.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of such other departments and agencies as the Secretary determines necessary, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing an assessment of the use of covered telecommunications equipment or services in United States embassies and by United States embassy staff and personnel.

(2) MATTERS.—The report under paragraph (1) shall include information on the following:

(A) The status of the implementation by the Secretary of State of the prohibition under subsection (a)(1) of section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1917; 41 U.S.C. 3901 note prec.) with respect to equipment, systems, and services used at United States embassies, including—

(i) an identification of the United States embassies with respect to which the Secretary has implemented such prohibition, and an identification of those with respect to which the Secretary has not implemented such prohibition, if any;

(ii) an identification of any difficulties that have delayed the implementation of such prohibition by the Secretary with respect to United States embassies, such as visibility into supply chains, costs of equipment replacement, and plans for timely remediation;

(iii) information on any waivers that have been granted to an entity under subsection (d) of such section 889 for equipment, systems, or services used at United States embassies, including a justification of why each waiver was granted and any other information required pursuant to paragraph (1)(B) of such subsection; and

(iv) for any entity that has sought a waiver specified in clause (iii), the implementation status of the phase-out plan of the entity submitted by the entity pursuant to subsection (d) of such section 889.

(B) Information regarding the extent to which the digital devices of United States embassy staff and personnel are serviced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of either such entity), or any other entity

headquartered in the People's Republic of China, and an assessment of the likelihood of the intelligence services of the People's Republic of China gaining access to the contents and data of the digital devices used by United States embassy personnel as a result of any such servicing.

(C) Any other information regarding ongoing efforts to safeguard the communications security of United States embassies.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 5. SUPPORTING TRUSTED TELECOMMUNICATIONS.

(a) IN GENERAL.—The Secretary of State, in consultation with the Assistant Secretary of Commerce for Communications and Information, shall select for the provision of support under this section telecommunications infrastructure projects that have the potential, as determined by the Secretary, to promote the national security of the United States and meet such other requirements as the Secretary may prescribe.

(b) DIPLOMATIC AND POLITICAL SUPPORT.—The Secretary of State shall provide to each project selected under subsection (a), as appropriate, diplomatic and political support, including by using the diplomatic and political influence and expertise of the Department of State to build the capacity of countries to resolve any impediments to the development of the project.

(c) EARLY STAGE PROJECT SUPPORT.—The Director of the United States Trade and Development Agency should provide, as appropriate, early-stage project support with respect to projects selected under subsection (a).

SEC. 6. DEFINITIONS.

In this Act:

(1) COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICE; UNTRUSTED TELECOMMUNICATIONS EQUIPMENT OR SERVICE.—The terms “covered telecommunications equipment or service” and “untrusted telecommunications equipment or service” have the meaning given to the term “covered communications equipment or service” in section 9 of the Secure and Trusted Communications Network Act of 2019 (47 U.S.C. 1608).

(2) TRUSTED TELECOMMUNICATIONS EQUIPMENT OR SERVICE.—The term “trusted telecommunications equipment or service” means any telecommunications equipment or service that is not a covered telecommunications equipment or service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MAST) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MAST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MAST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1149, Countering Untrusted Telecommunications Abroad Act.

The Chinese Communist Party, as we all know, weaponizes every tool at its disposal, whether it is intellectual

property, a balloon, or a social media app. That is why it is no surprise that CCP-controlled companies like Huawei pose risks to our national security and why it is important that we do not allow ourselves or our allies or partners to be duped by the seemingly low-cost, state-backed telecom companies like Huawei.

It might seem cheap, but the fact is the cost is much higher than many realize. You pay by allowing the CCP to control all of your telecommunications data, which, as history has shown, it can and will use against you. China has made no bones about that.

What does this bill do? It requires, number one, the State Department to conduct a risk assessment and report to Congress on the presence of any untrusted telecommunications equipment or vendors like Huawei in the networks of defense-allied countries.

Number two, it requires the Government Accountability Office to report on Chinese and Russian telecom suppliers serving U.S. embassies overseas.

Number three, finally, the bill tasks the State Department with identifying telecom infrastructure projects that would strengthen U.S. national security.

Three worthy goals.

The United States has to be a leader on this front. We need to help our allies and our partners end their dependence on problematic companies like Huawei that are in the pocket of our adversaries. It makes no sense whatsoever.

Mr. Speaker, I thank the gentlewoman from Pennsylvania (Ms. WILD) for her leadership on this issue and for working together on this important bill, which deserves our unanimous support, in my opinion.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, March 14, 2023.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for consulting with the Committee on Financial Services regarding H.R. 1149, the Countering Untrusted Telecommunications Abroad Act. I agree that the Committee shall be discharged from further consideration of the bill so that it may proceed expeditiously to the House Floor. The Committee takes this action with the mutual understanding that, by foregoing consideration of H.R. 1149 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved on this or similar legislation as it moves forward. The Committee also reserves the right to see appointment of an appropriate number of conferees to any conference with the Senate involving this or similar legislation, and we request your support for any such request.

Finally, as you mentioned in your letter, I ask that a copy of our exchange of letters on this bill be included in your Committee's report to accompany the legislation, as well as

in the Congressional Record during floor consideration thereof.

Sincerely,

PATRICK MCHENRY,
Chairman,
Committee on Financial Services.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, March 14, 2023.

Hon. PATRICK MCHENRY,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN MCHENRY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 1149, Countering Untrusted Telecommunications Abroad Act, so that the measure may proceed expeditiously to the House floor. The suspension text incorporates edits you have requested to portions of the bill within your committee's jurisdiction.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 1149 into the Congressional Record during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Mr. MEEKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the Countering Untrusted Telecommunications Abroad Act, and I thank Representative SUSAN WILD for her strong leadership on this very important piece of legislation.

Telecommunications security is a pillar of our national security. If an adversary can partially or fully shut down your mobile network, then they have tremendous leverage over your diplomatic, economic, and security matters. If an adversary can tap into your networks through back doors built into network equipment, then phone calls on national security matters can and will be surveilled.

Given these dangerous vulnerabilities, it is crucial that Congress and the executive branch fully understand the risks.

The Countering Untrusted Telecommunications Abroad Act will require additional reporting and analysis on the safety of our communications in embassies around the globe where, by necessity, communications will often need to be routed through equipment produced by PRC companies like Huawei and ZTE.

The legislation also calls for reporting on the use of unsafe telecommunications equipment by countries with whom we have mutual security pacts. We need to be able to communicate securely with our allies and partners around the world. Crucially, the legislation also authorizes the State Department to engage in telecommunications security activities.

Notably, one section of the bill, unfortunately, was removed from the version of this legislation that passed the House overwhelmingly last Congress and that passed out of the Foreign Affairs Committee earlier this year. That section would require publicly traded telecommunications operators to disclose their use of unsafe PRC telecommunications equipment.

I know, and I believe, that this is important information for investors to know, given the sanctions and export controls currently imposed on these vendors. It is also crucial national security information.

Unfortunately, the Financial Services majority asked us to remove this section due to their disposition against explicit additional securities disclosure requirements.

While I accept their jurisdictional claim, the disclosure requirements in this legislation were modeled after a Republican bill on Iran, and I believe they would provide important information for investors and bolster national security. Representative WILD is not pushing immediate, aggressive sanctions. The removed section represented a sensible, middle-ground approach.

Given the widespread bipartisan agreement on many issues pertaining to China, I look forward to working with all of my colleagues across the aisle on both committees to find a mutually agreeable solution to this issue.

Even with the financial disclosures removed, though, the Countering Untrusted Telecommunications Abroad Act is important legislation that will move the ball forward on telecommunication security matters.

Mr. Speaker, I urge all of my colleagues to support this legislation, and I reserve the balance of my time.

Mr. MAST. Mr. Speaker, I continue to reserve the balance of my time.

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Mr. MEEKS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Pennsylvania (Ms. WILD), the author of this bill.

Ms. WILD. Mr. Speaker, I rise in support of H.R. 1149, the Countering Untrusted Telecommunications Abroad Act. I first thank my colleague from the other side of the aisle, Representative RADEWAGEN, for co-leading this legislation.

This bill is proof and evidence that when it comes to national and economic security challenges, we can find common ground.

The purpose of the bill is simple: To investigate and respond to vulnerabilities caused by Chinese telecommunications companies in United States embassies overseas and among our close allies.

For far too long, the world has stood by as Chinese telecoms giants have operated as vehicles for the Chinese Communist Party to commit horrific human rights violations against the Uyghur people, to conduct mass surveillance and espionage, and to supply

technology to other repressive regimes around the world.

This bill takes critical steps to ensure that our telecommunications infrastructure requires the State Department to report on the United States collective defense allies that use untrusted telecommunication equipment or services in their 5G networks. Further, it mandates a report on telecommunication vulnerabilities in United States embassies overseas. Finally, it directs the Secretary of State to identify key telecommunications infrastructure projects designed to promote United States national security.

Securing these networks is imperative when it comes to national security and human rights, as well as for our economic security.

This legislation will help us ensure that the telecoms infrastructure of our country and our allies is secure and effective.

The Countering Untrusted Telecommunications Abroad Act enjoyed overwhelming bipartisan support in the 117th Congress and passed the House by a resounding margin last September.

I urge my colleagues to reaffirm our commitment to securing our telecommunications network by again voting “yes” on H.R. 1149.

Mr. MAST. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I have no further requests for time, and I yield myself the balance of my time for the purpose of closing.

Mr. Speaker, Congresswoman WILD’s very important legislation, the Countering Untrusted Telecommunications Abroad Act, will take tangible steps to improve our telecommunications security and, thereby, our national security.

I appreciate the bipartisan nature with which we have dealt with this bill in the 117th Congress and now are dealing with it in the 118th Congress, working collectively together for our national security.

I believe that this bill should have every Member’s support, and I urge them to vote for the Countering Untrusted Telecommunications Abroad Act.

Mr. Speaker, I yield back the balance of my time.

Mr. MAST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, telecommunications and the secure transfer of electronic data are absolutely critical. I don’t think I have met somebody that disagrees with that in today’s world. They are critical to our national security and to our economic well-being.

We don’t want to get on a website that we think is insecure. We don’t want to reply to a text that we think comes from an untrusted number.

We cannot afford the vulnerability that comes from giving control of this technology to the Chinese Communist Party or other malign actors.

H.R. 1149 will help us get a handle on those vulnerabilities, forcing the De-

partment of State to formulate an effective response.

Again, I thank Ms. WILD for introducing this measure. I urge unanimous support for this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MAST) that the House suspend the rules and pass the bill, H.R. 1149, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MAST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

UPHOLDING SOVEREIGNTY OF AIRSPACE ACT

Mr. MAST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1151) to hold the People’s Republic of China accountable for the violation of United States airspace and sovereignty with its high-altitude surveillance balloon, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Upholding Sovereignty of Airspace Act” or the “USA Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the Department of State, surveillance balloons owned and operated by the People’s Republic of China (PRC) have entered United States airspace multiple times since 2017 and have violated the airspace of more than 40 countries across 5 continents.

(2) On February 10, 2023, the Department of Commerce, Bureau of Industry and Security issued a final rule (88 Fed. Reg. 9389) that added 6 PRC entities to the Entity List for supporting the PRC’s military modernization efforts related to aerospace programs, including airships and balloons and related materials and components, that are used by the People’s Liberation Army for intelligence and reconnaissance.

(3) The PRC’s response has been to use misinformation and propaganda to deflect blame for the illegal surveillance activities of these balloons.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the presence of the PRC’s high altitude surveillance balloon over United States airspace was an unacceptable violation of United States sovereignty;

(2) the United States should continue to neutralize foreign aerial surveillance assets that are in United States airspace after consideration of civilian aviation safety, safety of United States civilians and property on the ground, as well as the intelligence collection risk and opportunity posed by such intrusions;

(3) the PRC’s global balloon surveillance program blatantly undermines countries’

sovereignty and poses a threat to countries around the world;

(4) the PRC should cease efforts to spread misinformation and propaganda about its intelligence-collection efforts;

(5) the United States Government should continue to share information about the PRC’s global surveillance efforts with allies and partners and should work jointly to hold the PRC accountable for its illegal surveillance actions, including at multilateral fora;

(6) the United Nations should condemn the PRC’s violation, through its global surveillance balloon program, of the sovereignty of member states of the United Nations and call on the PRC to ensure its balloons do not violate sovereign airspace again;

(7) the International Civil Aviation Organization (ICAO) should condemn the PRC for this violation of airspace and the PRC’s ICAO commitments; and

(8) as consistent with international law, the United States should use regulatory and enforcement tools to protect national security and sovereignty by identifying and disrupting the PRC’s use of surveillance balloons.

SEC. 4. INTERNATIONAL COORDINATION AND PRESSURE.

(a) DIPLOMATIC STRATEGY.—The Secretary of State, in consultation with the Director of National Intelligence and the United States Permanent Representative to the United Nations, shall develop a diplomatic strategy to inform allies and partners of the scope of the PRC surveillance program and build global consensus in order to address the PRC’s global surveillance balloon program, including by—

(1) using the voice of the United States at the International Civil Aviation Organization to support Taiwan’s participation in the events and meetings of that Organization;

(2) sharing intelligence, as appropriate about the PRC’s global balloon program and its past violation of the sovereign airspace of allies and partners;

(3) coordinating with United States allies and partners to identify and track future PRC surveillance balloons, counter PRC propaganda and misinformation about its global surveillance program, and publicly share any future violations of sovereignty;

(4) using the voice, vote, and influence of the United States at the United Nations and other international and regional organizations to spur greater diplomatic pressure on the PRC to halt its surveillance collection operations that violate international sovereignty;

(5) raising the challenges posed by the PRC’s global surveillance balloon program at major multilateral forums, including at the G7 and G20 summits; and

(6) coordinating with allies and partners on the imposition and implementation of substantially similar sanctions and export controls to ensure that commodities, software, or technology from the United States and its allies and partners are not supporting the PRC’s global surveillance efforts.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Director of National Intelligence and the United States Permanent Representative to the United Nations, shall submit to the appropriate congressional committees a report that outlines the strategy developed pursuant to subsection (a) and describes in detail the various steps taken by the United States in line with said strategy.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the relevant officials of the Department of Defense shall provide to the appropriate congressional committees a classified briefing on other Unidentified Flying Objects that