

Committee Print

[SHOWING THE TEXT OF H.R. 4461 AS FORWARDED BY THE SUBCOMMITTEE
ON COMMUNICATIONS AND TECHNOLOGY ON NOVEMBER 14, 2019]

116TH CONGRESS
1ST SESSION

H. R. 4461

To direct the Secretary of Homeland Security to establish a program to share information regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2019

Mr. KINZINGER (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Homeland Security to establish a program to share information regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Network Security In-
3 formation Sharing Act of 2019”.

4 **SEC. 2. INFORMATION SHARING WITH TRUSTED PRO-**
5 **VIDERS OF ADVANCED COMMUNICATIONS**
6 **SERVICE AND TRUSTED SUPPLIERS OF COM-**
7 **MUNICATIONS EQUIPMENT OR SERVICES.**

8 (a) INFORMATION SHARING PROGRAM.—

9 (1) ESTABLISHMENT.—Not later than 120 days
10 after the date of the enactment of this Act, including
11 an opportunity for notice and comment, the Sec-
12 retary, in cooperation with the Director of National
13 Intelligence, the Director of the Federal Bureau of
14 Investigation, the Assistant Secretary, and the Com-
15 mission, shall establish a program to share informa-
16 tion regarding supply chain security risks with trust-
17 ed providers of advanced communications service
18 and trusted suppliers of communications equipment
19 or services.

20 (2) ACTIVITIES.—In carrying out the program
21 established under paragraph (1), the Secretary
22 shall—

23 (A) conduct regular briefings and other
24 events to share information with trusted pro-
25 viders of advanced communications service and

1 trusted suppliers of communications equipment
2 or services;

3 (B) engage with trusted providers of ad-
4 vanced communications service and trusted sup-
5 pliers of communications equipment or services,
6 in particular such providers and suppliers
7 that—

8 (i) are small businesses; or

9 (ii) primarily serve rural areas;

10 (C) not later than 180 days after the date
11 of the enactment of this Act, submit to the
12 Committee on Energy and Commerce of the
13 House of Representatives and the Committee
14 on Commerce, Science, and Transportation of
15 the Senate a plan for—

16 (i) declassifying material, when fea-
17 sible, to help share information regarding
18 supply chain security risks with trusted
19 providers of advanced communications
20 service and trusted suppliers of commu-
21 nications equipment or services; and

22 (ii) expediting and expanding the pro-
23 vision of security clearances to facilitate in-
24 formation sharing regarding supply chain
25 security risks with trusted providers of ad-

1 vanced communications service and trusted
2 suppliers of communications equipment or
3 services; and

4 (D) ensure that the activities carried out
5 through the program are consistent with and,
6 to the extent practicable, integrated with, ongo-
7 ing activities of the Department of Homeland
8 Security and the Department of Commerce.

9 (3) SCOPE OF PROGRAM.—The program estab-
10 lished under paragraph (1) shall involve only the
11 sharing of information regarding supply chain secu-
12 rity risks by the Federal Government to trusted pro-
13 viders of advanced communications service and
14 trusted suppliers of communications equipment or
15 services, and not the sharing of such information by
16 such providers and suppliers to the Federal Govern-
17 ment.

18 (b) REPRESENTATION ON CSRIC OF INTERESTS OF
19 PUBLIC AND CONSUMERS.—

20 (1) IN GENERAL.—The Commission shall ap-
21 point to the Communications Security, Reliability,
22 and Interoperability Council (or any successor there-
23 of), and to each subcommittee, workgroup, or other
24 subdivision of the Council (or any such successor),

1 at least one member to represent the interests of the
2 public and consumers.

3 (2) INITIAL APPOINTMENTS.—The Commission
4 shall make the initial appointments required by
5 paragraph (1) not later than 180 days after the date
6 of the enactment of this Act. Any member so ap-
7 pointed shall be in addition to the members of the
8 Council, or the members of the subdivision of the
9 Council to which the appointment is being made, as
10 the case may be, as of the date of the enactment of
11 this Act.

12 (c) DEFINITIONS.—In this section:

13 (1) ADVANCED COMMUNICATIONS SERVICE.—
14 The term “advanced communications service” has
15 the meaning given the term “advanced telecommuni-
16 cations capability” in section 706 of the Tele-
17 communications Act of 1996 (47 U.S.C. 1302).

18 (2) ASSISTANT SECRETARY.—The term “Assist-
19 ant Secretary” means the Assistant Secretary of
20 Commerce for Communications and Information.

21 (3) COMMISSION.—The term “Commission”
22 means the Federal Communications Commission.

23 (4) COMMUNICATIONS EQUIPMENT OR SERV-
24 ICE.—The term “communications equipment or serv-

1 ice” means any equipment or service that is essential
2 to the provision of advanced communications service.

3 (5) FOREIGN ADVERSARY.—The term “foreign
4 adversary” means any foreign government or foreign
5 nongovernment person engaged in a long-term pat-
6 tern or serious instances of conduct significantly ad-
7 verse to the national security of the United States
8 or security and safety of United States persons.

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

11 (7) PROVIDER OF ADVANCED COMMUNICATIONS
12 SERVICE.—The term “provider of advanced commu-
13 nications service” means a person who provides ad-
14 vanced communications service to United States cus-
15 tomers.

16 (8) SECRETARY.—The term “Secretary” means
17 the Secretary of Homeland Security.

18 (9) SUPPLY CHAIN SECURITY RISK.—The term
19 “supply chain security risk” includes specific risk
20 and vulnerability information related to equipment
21 and software.

22 (10) TRUSTED.—The term “trusted” means,
23 with respect to a provider of advanced communica-
24 tions service or a supplier of communications equip-
25 ment or service, that the Secretary has determined

1 that such provider or supplier is not owned by, con-
2 trolled by, or subject to the influence of a foreign
3 adversary.