

Union Calendar No. 487

117TH CONGRESS
2^D SESSION

H. R. 4046

[Report No. 117-668]

To amend the National Telecommunications and Information Administration Organization Act to establish the Office of Policy Development and Cybersecurity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. DUNCAN (for himself, Ms. WILD, and Mr. CURTIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

DECEMBER 30, 2022

Additional sponsors: Ms. SPANBERGER and Mr. DELGADO

DECEMBER 30, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 22, 2021]

A BILL

To amend the National Telecommunications and Information Administration Organization Act to establish the Office of Policy Development and Cybersecurity, 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 “NTIA Policy and Cyber-*
5 *security Coordination Act”.*

6 **SEC. 2. POLICY DEVELOPMENT AND CYBERSECURITY.**

7 *(a) OFFICE OF POLICY DEVELOPMENT AND CYBERSE-*
8 *CURITY.—Part A of title I of the National Telecommuni-*
9 *cations and Information Administration Organization Act*
10 *(47 U.S.C. 901 et seq.) is amended by adding at the end*
11 *the following:*

12 **“SEC. 106. OFFICE OF POLICY DEVELOPMENT AND CYBER-**
13 **SECURITY.**

14 *“(a) ESTABLISHMENT.—There shall be within the*
15 *NTIA an office to be known as the Office of Policy Develop-*
16 *ment and Cybersecurity (in this section referred to as the*
17 *‘Office’).*

18 *“(b) ASSOCIATE ADMINISTRATOR.—The head of the Of-*
19 *fice shall be an Associate Administrator for Policy Develop-*
20 *ment and Cybersecurity (in this section referred to as the*
21 *‘Associate Administrator’), who shall report to the Assistant*
22 *Secretary.*

23 *“(c) DUTIES.—*

24 *“(1) IN GENERAL.—The Associate Administrator*
25 *shall oversee and conduct national communications*

1 *and information policy analysis and development for*
2 *the internet and communications technologies.*

3 “(2) *PARTICULAR DUTIES.*—*In carrying out*
4 *paragraph (1), the Office shall—*

5 “(A) *develop, analyze, and advocate for*
6 *market-based policies that promote innovation,*
7 *competition, consumer access, digital inclusion,*
8 *workforce development, and economic growth in*
9 *the communications, media, and technology mar-*
10 *kets;*

11 “(B) *issue studies, as delegated by the As-*
12 *stant Secretary or required by Congress, on*
13 *how individuals in the United States access and*
14 *use the internet, wireline and wireless telephony,*
15 *mass media, other digital services, and video*
16 *services;*

17 “(C) *coordinate transparent, consensus-*
18 *based, multistakeholder processes to create guid-*
19 *ance or to support the development and imple-*
20 *mentation of cybersecurity and privacy policies*
21 *with respect to the internet and other commu-*
22 *nications networks;*

23 “(D) *promote increased collaboration be-*
24 *tween security researchers and providers of com-*

1 *communications services and software system devel-*
2 *opers;*

3 “(E) perform such duties as the Assistant
4 Secretary considers appropriate relating to the
5 program for preventing future vulnerabilities es-
6 tablished under section 8(a) of the Secure and
7 Trusted Communications Networks Act of 2019
8 (47 U.S.C. 1607(a));

9 “(F) advocate for policies that promote the
10 security and resilience to cybersecurity incidents
11 of communications networks while fostering in-
12 novation, including policies that promote secure
13 communications network supply chains;

14 “(G) at the direction of the Assistant Sec-
15 retary, present security of the digital economy
16 and infrastructure and cybersecurity policy ef-
17 forts before the Commission, Congress, and else-
18 where;

19 “(H) provide advice and assistance to the
20 Assistant Secretary in carrying out the policy
21 responsibilities of the NTIA with respect to cy-
22 bersecurity policy matters, including the evalua-
23 tion of the impact of cybersecurity matters pend-
24 ing before the Commission, other Federal agen-
25 cies, and Congress;

1 “(I) in addition to the duties described in
2 subparagraph (H), perform such other duties re-
3 garding the policy responsibilities of the NTIA
4 with respect to cybersecurity policy matters as
5 the Assistant Secretary considers appropriate;

6 “(J) develop policies to accelerate innova-
7 tion and commercialization with respect to ad-
8 vances in technological understanding of commu-
9 nications technologies;

10 “(K) identify barriers to trust, security, in-
11 novation, and commercialization with respect to
12 communications technologies, including access to
13 capital and other resources, and ways to over-
14 come such barriers;

15 “(L) provide public access to relevant data,
16 research, and technical assistance on innovation
17 and commercialization with respect to commu-
18 nications technologies, consistent with the protec-
19 tion of classified information;

20 “(M) strengthen collaboration on and co-
21 ordination of policies relating to innovation and
22 commercialization with respect to communica-
23 tions technologies, including policies focused on
24 the needs of small businesses and rural commu-
25 nities—

1 “(i) *within the Department of Com-*
2 *merce;*

3 “(ii) *between the Department of Com-*
4 *merce and State government agencies, as*
5 *appropriate; and*

6 “(iii) *between the Department of Com-*
7 *merce and the Commission or any other*
8 *Federal agency the Assistant Secretary de-*
9 *termines to be necessary; and*

10 “(N) *solicit and consider feedback from*
11 *small and rural communications service pro-*
12 *viders, as appropriate.”.*

13 **(b) TRANSITIONAL RULES.—**

14 **(1) REDESIGNATION OF ASSOCIATE ADMINIS-**
15 **TRATOR; CONTINUATION OF SERVICE.—**

16 **(A) REDESIGNATION.—***The position of Asso-*
17 *ciate Administrator for Policy Analysis and De-*
18 *velopment at the NTIA is hereby redesignated as*
19 *the position of Associate Administrator for Pol-*
20 *icy Development and Cybersecurity.*

21 **(B) CONTINUATION OF SERVICE.—***The indi-*
22 *vidual serving as Associate Administrator for*
23 *Policy Analysis and Development at the NTIA*
24 *on the date of the enactment of this Act shall be-*

1 *come, as of such date, the Associate Adminis-*
2 *trator for Policy Development and Cybersecurity.*

3 *(2) NTIA DEFINED.—In this subsection, the term*
4 *“NTIA” means the National Telecommunications and*
5 *Information Administration.*

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