

to in subsec. (c)(3), is section 889(f)(3) of Pub. L. 115-232, which is set out in a note preceding section 3901 of Title 41, Public Contracts.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116-124, §1, Mar. 12, 2020, 134 Stat. 158, provided that: “This Act [enacting this chapter] may be cited as the ‘Secure and Trusted Communications Networks Act of 2019’.”

SECURE EQUIPMENT

Pub. L. 117-55, Nov. 11, 2021, 135 Stat. 423, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Secure Equipment Act of 2021’.

“SEC. 2. UPDATES TO EQUIPMENT AUTHORIZATION PROCESS OF FEDERAL COMMUNICATIONS COMMISSION.

“(a) RULEMAKING.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act [Nov. 11, 2021], the Commission shall adopt rules in the proceeding initiated in the Notice of Proposed Rulemaking in the matter of Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program (ET Docket No. 21-232; FCC 21-73; adopted June 17, 2021), in accordance with paragraph (2), to update the equipment authorization procedures of the Commission.

“(2) UPDATES REQUIRED.—In the rules adopted under paragraph (1), the Commission shall clarify that the Commission will no longer review or approve any application for equipment authorization for equipment that is on the list of covered communications equipment or services published by the Commission under section 2(a) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601(a)).

“(3) APPLICABILITY.—

“(A) IN GENERAL.—In the rules adopted under paragraph (1), the Commission may not provide for review or revocation of any equipment authorization granted before the date on which such rules are adopted on the basis of the equipment being on the list described in paragraph (2).

“(B) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit the Commission, other than in the rules adopted under paragraph (1), from—

“(i) examining the necessity of review or revocation of any equipment authorization on the basis of the equipment being on the list described in paragraph (2); or

“(ii) adopting rules providing for any such review or revocation.

“(b) DEFINITION.—In this section, the term ‘Commission’ means the Federal Communications Commission.”

§ 1602. Prohibition on use of certain Federal subsidies

(a) In general

(1) Prohibition

A Federal subsidy that is made available through a program administered by the Commission and that provides funds to be used for the capital expenditures necessary for the provision of advanced communications service may not be used to—

(A) purchase, rent, lease, or otherwise obtain any covered communications equipment or service; or

(B) maintain any covered communications equipment or service previously purchased, rented, leased, or otherwise obtained.

(2) Timing

Paragraph (1) shall apply with respect to any covered communications equipment or service beginning on the date that is 60 days after the date on which the Commission places such equipment or service on the list required by section 1601(a) of this title. In the case of any covered communications equipment or service that is on the initial list published under such section, such equipment or service shall be treated as being placed on the list on the date on which such list is published.

(b) Completion of proceeding

Not later than 180 days after March 12, 2020, the Commission shall adopt a Report and Order to implement subsection (a). If the Commission has, before March 12, 2020, taken action that in whole or in part implements subsection (a), the Commission is not required to revisit such action, but only to the extent such action is consistent with this section.

(Pub. L. 116-124, §3, Mar. 12, 2020, 134 Stat. 159.)

§ 1603. Secure and Trusted Communications Networks Reimbursement Program

(a) In general

The Commission shall establish a reimbursement program, to be known as the “Secure and Trusted Communications Networks Reimbursement Program”, to make reimbursements to providers of advanced communications service to replace covered communications equipment or services.

(b) Eligibility

The Commission may not make a reimbursement under the Program to a provider of advanced communications service unless the provider—

- (1) has 10,000,000 or fewer customers; and
- (2) makes all of the certifications required by subsection (d)(4).

(c) Use of funds

(1) In general

A recipient of a reimbursement under the Program shall use reimbursement funds solely for the purposes of—

(A) permanently removing covered communications equipment or services purchased, rented, leased, or otherwise obtained—

(i) as defined in the Report and Order of the Commission in the matter of Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs (FCC 19-121; WC Docket No. 18-89; adopted November 22, 2019) (in this section referred to as the “Report and Order”); or

(ii) as determined to be covered by both the process of the Report and Order and the Designation Orders of the Commission on June 30, 2020 (DA 20-690; PS Docket No. 19-351; adopted June 30, 2020) (DA 20-691; PS Docket No. 19-352; adopted June 30,