

Stat. 767, formerly set out as a note under section 921 of this title.

§ 1512. Relationship to Middle Class Tax Relief and Job Creation Act of 2012

Nothing in this chapter shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

(Pub. L. 115–141, div. P, title VI, § 622, Mar. 23, 2018, 132 Stat. 1115.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of div. P of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 1097, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out under section 1501 of this title and Tables.

The Middle Class Tax Relief and Job Creation Act of 2012, referred to in text, is Pub. L. 112–96, Feb. 22, 2012, 126 Stat. 156. Title VI of the Act is classified principally to chapter 13 (§ 1401 et seq.) of this title. For complete classification of this Act to the Code, see section 1(a) of Pub. L. 112–96, set out as a Short Title of 2012 Amendment note under section 1 of Title 26, Internal Revenue Code, and Tables.

§ 1513. No additional funds authorized

No additional funds are authorized to be appropriated to carry out this chapter, or the amendments made by this title.¹ This chapter, and the amendments made by this title,¹ shall be carried out using amounts otherwise authorized.

(Pub. L. 115–141, div. P, title VI, § 623, Mar. 23, 2018, 132 Stat. 1115.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of div. P of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 1097, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out under section 1501 of this title and Tables.

This title, referred to in text, means title VI of div. P of Pub. L. 115–141. See note above.

CHAPTER 15—SECURE AND TRUSTED COMMUNICATIONS NETWORKS

Sec.	
1601.	Determination of communications equipment or services posing national security risks.
1602.	Prohibition on use of certain Federal subsidies.
1603.	Secure and Trusted Communications Networks Reimbursement Program.
1604.	Reports on covered communications equipment or services.
1605.	Hold harmless.
1606.	Enforcement.
1607.	NTIA program for preventing future vulnerabilities.

¹ See References in Text note below.

Sec.	
1608.	Definitions.
1609.	Severability.

§ 1601. Determination of communications equipment or services posing national security risks

(a) Publication of covered communications equipment or services list

Not later than 1 year after March 12, 2020, the Commission shall publish on its website a list of covered communications equipment or services.

(b) Publication by Commission

The Commission shall place on the list published under subsection (a) any communications equipment or service, if and only if such equipment or service—

(1) is produced or provided by any entity, if, based exclusively on the determinations described in paragraphs (1) through (4) of subsection (c), such equipment or service produced or provided by such entity poses an unacceptable risk to the national security of the United States or the security and safety of United States persons; and

(2) is capable of—

(A) routing or redirecting user data traffic or permitting visibility into any user data or packets that such equipment or service transmits or otherwise handles;

(B) causing the network of a provider of advanced communications service to be disrupted remotely; or

(C) otherwise posing an unacceptable risk to the national security of the United States or the security and safety of United States persons.

(c) Reliance on certain determinations

In taking action under subsection (b)(1), the Commission shall place on the list any communications equipment or service that poses an unacceptable risk to the national security of the United States or the security and safety of United States persons based solely on one or more of the following determinations:

(1) A specific determination made by any executive branch interagency body with appropriate national security expertise, including the Federal Acquisition Security Council established under section 1322(a) of title 41.

(2) A specific determination made by the Department of Commerce pursuant to Executive Order No. 13873 (84 Fed. Reg. 22689; relating to securing the information and communications technology and services supply chain).

(3) The communications equipment or service being covered telecommunications equipment or services, as defined in section 889(f)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1918).

(4) A specific determination made by an appropriate national security agency.

(d) Updating of list

(1) In general

The Commission shall periodically update the list published under subsection (a) to address changes in the determinations described in paragraphs (1) through (4) of subsection (c).