AMENDMENT NO. _______     Calendar No. _____

Purpose: In the nature of a substitute.


S. 4472

To amend the Secure and Trusted Communications Network
Reimbursement Program to include eligible telecommunications carriers and providers of educational broadband
service, and for other purposes.

Referred to the Committee on _________________ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. Peters

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Ensuring Network Se-

5 curity Act”.

6 SEC. 2. AMENDMENTS TO THE SECURE AND TRUSTED COM-

7 MUNICATIONS NETWORK REIMBURSEMENT

8 PROGRAM.

9 The Secure and Trusted Communications Networks

10 Act of 2019 (47 U.S.C. 1601 et seq.) is amended—

11 (1) in section 4 (47 U.S.C. 1603)—
(A) in subsection (b)(1), by striking “2,000,000” and inserting “10,000,000”;  
(B) in subsection (c)—  
(i) in paragraph (1)(A)—  
(I) in the matter preceding clause (i), by striking “before”;  
(II) by amending clause (i) to read as follows: “(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”; and  
(III) by amending clause (ii) to read as follows: “(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, 2020) (in this sec-
tion collectively referred to as the ‘Designation Orders’);”; and

(ii) in paragraph (2)(A)—

(I) by amending clauses (i) and

(ii) to read as follows:

“(i) publication of the Report and

Order; or

“(ii) in the case of covered communications equipment that only became covered pursuant to the Designation Orders, June 30, 2020; or”;

(C) in subsection (d)(5)—

(i) in subparagraph (A), by striking “The Commission” and inserting “Subject to subparagraph (C), the Commission”; and

(ii) by adding at the end the following:

“(C) PRIORITY FOR ALLOCATION.—On and after the date of enactment of this subparagraph, the Commission shall allocate sufficient reimbursement funds—

“(i) first, to approved applicants that have 2,000,000 or fewer customers, for removal and replacement of covered commu-
nications equipment, as defined in section 9 or as designated by the process set forth in the Report and Order;
“(ii) after funds have been allocated to all applicants described in clause (i), to approved applicants that are accredited public or private non-commercial educational institutions providing their own facilities-based education broadband service, as defined in section 27.4 of title 47, Code of Federal Regulations, or any successor regulation, for removal and replacement of covered communications equipment, as defined in section 9 or as designated by the process set forth in the Report and Order; and
“(iii) after funds have been allocated to any remaining approved applicants determined to be eligible for reimbursement under the Program.”; and
(D) by adding at the end the following:
“(k) LIMITATION.—In carrying out this section, the Commission may not expend more than $1,900,000,000.”; and
and
(2) in section 9 (47 U.S.C. 1608), by amending paragraph (10) to read as follows:

“(10) PROVIDER OF ADVANCED COMMUNICATIONS SERVICE.—The term ‘provider of advanced communications service’—

“(A) means a person who provides advanced communications service to United States customers; and

“(B) includes—

“(i) accredited public or private non-commercial educational institutions, providing their own facilities-based educational broadband service, as defined in section 27.4 of title 47, Code of Federal Regulations, or any successor regulation; and

“(ii) health care providers and libraries providing advanced communications service.”.