AMENDMENT TO RULES COMMITTEE PRINT 119–33

OFFERED BY MRS. BIGGS OF SOUTH CAROLINA

At the end of subtitle E of title X, add the following new section:

SEC. 10___. AUDIT AND MITIGATION OF CERTAIN CELLULAR MODULES.

(a) AUDIT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an audit to identify the presence of covered cellular modules within Department infrastructure.

(b) SCOPE.—The audit conducted under subsection (a) shall—

(1) include each military department, combatant command, Defense Agency, and activity or program of the Department of Defense;

(2) prioritize Department infrastructure critical to military mobility, logistics, or the security of military installations;

(3) include Department infrastructure that is contractor-operated and connected to a network, or with access to the information, of the Department of Defense;

(4) provide, to the maximum extent practicable, with respect to each covered cellular module identified pursuant to the audit the—

(A) manufacturer;

(B) model;

(C) firmware version; and

(D) host product; and

(5) assess the cybersecurity risk posed by each covered cellular module identified pursuant to the audit, including with respect to—

(A) data flows;

(B) network exposure; and

(C) potential for remote access.

(c) REPORTS FROM SECRETARY OF DEFENSE.—

(1) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and every two years thereafter for a six-year period, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of this section, which shall include the following:

(A) The findings of the audit conducted under subsection (a) and any updates to such findings.

(B) A description of ongoing and planned mitigation activities in response to such findings, including any—

(i) rip-and-replace programs;

(ii) accelerated divestiture or retirement of legacy assets;

(iii) network segmentation, isolation, or compensating cybersecurity or engineering controls;

(iv) firmware or software remediation; or

(v) supply-chain substitution with trusted alternatives.

(C) Cost estimates, timelines, and resource requirements with respect to the activities described in subparagraph (B).

(D) An identification of any statutory, regulatory, or acquisition barriers encountered with respect to the activities described in subparagraph (B).

(E) Recommendations for additional legislative authorities with respect to the activities described in subparagraph (B).

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) REPORT FROM COMPTROLLER GENERAL.—Not later than 180 days after each date on which a report is submitted under subsection (c), the Comptroller General of the United States shall submit to the congressional defense committees a report that assesses the implementation and effectiveness with respect to the mitigation activities described in subsection (c)(1)(B).

(e) DEFINITIONS.—In this section:

(1) The term ''cellular module'' means a modular transmitter (as such term is used in section 15.212 of title 47, Code of Federal Regulations) that provides cellular connectivity to a host product, including an Internet of Things device.

(2) The term ''covered cellular module'' means any cellular module produced, manufactured, or provided by—

(A) an entity that produces or provides covered telecommunications equipment or services (as defined in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.));

(B) an entity that is owned by, controlled by, or subject to the jurisdiction or direction of the People's Republic of China; or

(C) any other entity determined by the Secretary of Defense to present an unacceptable supply-chain risk.

(3) The term ''Department infrastructure'' means any system, unit of infrastructure, or component thereof that is owned, leased, operated, or controlled by the Department of Defense.

(4) The term ''Internet of Things device'' has the meaning given the term ''Internet of Things'' in NIST Special Publication 1800-16.