

116TH CONGRESS
2D SESSION

S. 4901

To require the Director of the National Institute of Standards and Technology to commission a study on the effect of the activities of China on standards for emerging technologies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2020

Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the Director of the National Institute of Standards and Technology to commission a study on the effect of the activities of China on standards for emerging technologies, 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 “Ensuring American
5 Leadership over International Standards Act of 2020”.

1 **SEC. 2. STUDY ON CHINESE POLICIES AND INFLUENCE IN**
2 **THE DEVELOPMENT OF INTERNATIONAL**
3 **STANDARDS FOR EMERGING TECHNOLOGIES.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Director of the Na-
6 tional Institute of Standards and Technology shall enter
7 into an agreement with an appropriate nongovernmental
8 entity with relevant expertise, as determined by the Direc-
9 tor, to conduct a study and make recommendations with
10 respect to the effect of the policies of the People’s Republic
11 of China and coordination among industrial entities within
12 the People’s Republic of China on international bodies en-
13 gaged in developing and setting international standards
14 for emerging technologies. The study may include—

15 (1) an assessment of how the role of the Peo-
16 ple’s Republic of China in international standards
17 setting organizations has grown over the previous 10
18 years, including in leadership roles in standards-
19 drafting technical committees, and the quality or
20 value of that participation;

21 (2) an assessment of the impact of the stand-
22 ardization strategy of the People’s Republic of
23 China, as identified in the “Chinese Standard 2035”
24 on international bodies engaged in developing and
25 setting standards for select emerging technologies,

1 such as advanced communication technologies or
2 cloud computing and cloud services;

3 (3) an examination of whether international
4 standards for select emerging technologies are being
5 designed to promote interests of the People’s Repub-
6 lic of China that are expressed in the “Made in
7 China 2025” plan to the exclusion of other partici-
8 pants;

9 (4) an examination of how the previous prac-
10 tices that the People’s Republic of China has utilized
11 while participating in international standards setting
12 organizations may foretell how the People’s Republic
13 of China will engage in international standardization
14 activities of critical technologies like artificial intel-
15 ligence and quantum information science, and what
16 may be the consequences;

17 (5) an examination of the current role of part-
18 ners and allies of the United States in the inter-
19 national standards setting process for emerging
20 technologies;

21 (6) recommendations on how the United States
22 can take steps—

23 (A) to mitigate influence of the People’s
24 Republic of China;

1 (B) to bolster United States public and
2 private sector participation in international
3 standards-setting bodies; and

4 (C) to cooperate with allies and partners of
5 the United States to counter influence of the
6 People's Republic of China in international
7 standards-setting bodies; and

8 (7) any other areas the Director, in consulta-
9 tion with the entity selected to conduct the study,
10 believes is important to address.

11 (b) REPORT TO CONGRESS.—The agreement entered
12 into under subsection (a) shall require the entity con-
13 ducting the study to, not later than 1 year after the date
14 of the enactment of this Act—

15 (1) submit to the Committee on Commerce,
16 Science, and Transportation and the Committee on
17 Homeland Security and Governmental Affairs of the
18 Senate and the Committee on Science, Space, and
19 Technology and the Committee on Homeland Secu-
20 rity of the House of Representatives a report con-
21 taining the findings and recommendations of the re-
22 view conducted under subsection (a); and

23 (2) make a copy of such report available on a
24 publicly accessible website.

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