

119TH CONGRESS
1ST SESSION

H. R. 3479

To improve the licensing and security of submarine and cross-border terrestrial telecommunications cables, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2025

Mr. YAKYM introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the licensing and security of submarine and cross-border terrestrial telecommunications cables, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Safeguarding Essential Cables through Undersea Risk
6 Elimination American Telecommunications Act” or the
7 “SECURE American Telecommunications Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Submarine cable licensing.
- Sec. 3. Cross-border terrestrial telecommunications cable licensing.
- Sec. 4. Permit process and exemption from certain requirements.
- Sec. 5. Repair reports.
- Sec. 6. Protection zone study.
- Sec. 7. Incidents report.
- Sec. 8. International security agreement.
- Sec. 9. Penalties for injury to submarine cables.
- Sec. 10. International Cable Protection Committee membership.
- Sec. 11. Definitions.

3 **SEC. 2. SUBMARINE CABLE LICENSING.**

4 The Act of May 27, 1921 (Chapter 12; 42 Stat. 8;
 5 47 U.S.C. 34 et seq.), is amended—

6 (1) in the first section—

7 (A) by striking “President of the United
 8 States” and inserting “Federal Communica-
 9 tions Commission”; and

10 (B) by striking “That any such cable now
 11 laid within the United States without a license
 12 granted by the President may continue to oper-
 13 ate without such license for a period of ninety
 14 days from the date this Act takes effect: *And*
 15 *provided further,*”;

16 (2) in section 2—

17 (A) by striking “President may withhold or
 18 revoke such license when he shall be” and in-
 19 serting “Federal Communications Commission
 20 may withhold and the Federal Communications

1 Commission or the President may revoke such
2 license when”; and

3 (B) by striking “or may” and inserting
4 “and the Commission may”;

5 (3) in section 3, by striking “President” and in-
6 serting “Federal Communications Commission”; and

7 (4) by adding at the end the following:

8 “SEC. 7. (a) No license may be issued under this Act
9 for a submarine cable directly connecting the United
10 States with—

11 “(1) an area controlled (as determined by the
12 Secretary of State) by a foreign adversary of the
13 United States; or

14 “(2) a facility that contains any communica-
15 tions equipment, or uses any service, that is on the
16 list published by the Federal Communications Com-
17 mission under section 2(a) of the Secure and Trust-
18 ed Communications Networks Act of 2019 (47
19 U.S.C. 1601(a)).

20 “(b) In this section, the term ‘foreign adversary of
21 the United States’ means a foreign government or foreign
22 non-government person specified in section 791.4(a) of
23 title 15, Code of Federal Regulations (or any successor
24 regulation).

1 “SEC. 8. (a) A license for a submarine cable under
2 this Act shall be issued to an individual or entity subject
3 to the following conditions:

4 “(1) In the event of an incident that creates or
5 is the consequence of a cybersecurity risk (as defined
6 in section 11 of the Safeguarding Essential Cables
7 through Undersea Risk Elimination American Tele-
8 communications Act) involving such submarine
9 cable, such individual or entity shall submit to the
10 Federal Communications Commission and the Cy-
11 bersecurity and Infrastructure Security Agency a re-
12 port on the nature of such incident not later than
13 24 hours after the date on which such individual or
14 entity learns of such incident.

15 “(2) Such individual or entity shall follow the
16 minimum physical security and cybersecurity stand-
17 ards established under subsection (b).

18 “(b) Not later than 180 days after the date of the
19 enactment of this section, the Federal Communications
20 Commission shall promulgate regulations establishing
21 minimum standards for the physical security and cyberse-
22 curity of submarine cables and the landing stations of
23 such cables, including a standard for the minimum dis-
24 tance between submarine cables on the seabed.

1 “(c) Not less frequently than every 2 years, the Fed-
2 eral Communications Commission shall review the regula-
3 tions promulgated under subsection (b) and update such
4 regulations if necessary.

5 “(d) Upon receipt of a report under subsection (a)(1),
6 the Federal Communications Commission shall provide no-
7 tice of such report to relevant entities, including cable op-
8 erators and data centers, as the Federal Communications
9 Commission determines appropriate.

10 “(e) In promulgating and reviewing the regulations
11 promulgated under subsections (b) and (c), the Federal
12 Communications Commission shall consult with—

13 “(1) the Attorney General;

14 “(2) the Director of National Intelligence;

15 “(3) the Secretary of Defense;

16 “(4) the Secretary of Homeland Security; and

17 “(5) any other Federal entity that the Commis-
18 sion determines appropriate.

19 “SEC. 9. (a) The Federal Communications Commis-
20 sion shall make a final determination with respect to the
21 issuance of a license under this Act not later than the date
22 that is 540 days after the date on which an application
23 for such license, filed in accordance with all applicable reg-
24 ulations, is received by the Federal Communications Com-
25 mission.

1 “(b) If the Federal Communications Commission
 2 does not make a final determination with respect to the
 3 issuance of a license under this Act within the period re-
 4 quired by subsection (a), such license shall be deemed
 5 granted on the day after the last day of such period.”.

6 **SEC. 3. CROSS-BORDER TERRESTRIAL TELECOMMUNI-**
 7 **CATIONS CABLE LICENSING.**

8 (a) IN GENERAL.—No person may construct, con-
 9 nect, operate, or maintain in the United States a terres-
 10 trial telecommunications cable directly connecting the
 11 United States with a foreign country unless a written li-
 12 cense to construct, connect, operate, or maintain such
 13 cable has been issued by the Commission.

14 (b) REQUIREMENTS.—A terrestrial telecommuni-
 15 cations cable for which a license is required under sub-
 16 section (a) shall be subject to the same requirements
 17 under the Act of May 27, 1921, as amended by this Act,
 18 as a submarine cable for which a submarine cable license
 19 is required, to the maximum extent practicable (as deter-
 20 mined by the Commission).

21 (c) RELATIONSHIP TO CERTAIN OTHER REQUIRE-
 22 MENTS.—Executive Order 13867 (84 Fed. Reg. 15491;
 23 relating to issuance of permits with respect to facilities
 24 and land transportation crossings at the international
 25 boundaries of the United States) does not apply with re-

1 spect to a terrestrial telecommunications cable for which
 2 a license is required under subsection (a).

3 (d) APPLICATION PROCESS.—Not later than 180
 4 days after the date of the enactment of this Act, the Com-
 5 mission shall promulgate regulations to establish a single
 6 application for—

7 (1) a license under subsection (a); and

8 (2) any other Federal authorization required
 9 with respect to a terrestrial telecommunications
 10 cable for which a license is required under sub-
 11 section (a).

12 (e) APPLICABILITY.—Subsections (a), (b), and (c)
 13 shall apply with respect to a terrestrial telecommuni-
 14 cations cable that is constructed after the date on which
 15 the Commission promulgates regulations under subsection
 16 (d).

17 **SEC. 4. PERMIT PROCESS AND EXEMPTION FROM CERTAIN**
 18 **REQUIREMENTS.**

19 (a) PERMIT PROCESS.—

20 (1) GENERAL PERMIT.—Not later than 180
 21 days after the date of the enactment of this Act, the
 22 Secretary of the Army (acting through the Chief of
 23 Engineers) shall issue a general permit on a nation-
 24 wide basis under section 404(e) of the Federal
 25 Water Pollution Control Act (33 U.S.C. 1344(e)) for

1 the construction, repair, and maintenance of sub-
2 marine cables and landing stations of such cables.

3 (2) REQUIREMENT.—The general permit de-
4 scribed in paragraph (1) shall incorporate the stand-
5 ard for the minimum distance between submarine
6 cables on the seabed promulgated under section 8(b)
7 of the Act of May 27, 1921, as amended by this Act.

8 (b) FEDERAL AUTHORIZATION PROHIBITION.—Not-
9 withstanding any other provision of law, no Federal au-
10 thorization (other than a submarine cable license, a certifi-
11 cate required by section 214 of the Communications Act
12 of 1934 (47 U.S.C. 214), or the general permit described
13 in subsection (a)(1)) may be required with respect to the
14 construction, repair, or maintenance of a submarine cable
15 or a landing station of such a cable, including with respect
16 to a submarine cable or a landing station of such a cable
17 that runs or is proposed to run through a national marine
18 sanctuary designated under the National Marine Sanc-
19 tuaries Act (16 U.S.C. 1431 et seq.).

20 (c) NEPA CATEGORICAL EXCLUSION.—The Com-
21 mission may not remove the construction of new sub-
22 marine cable systems from actions that are categorically
23 excluded from environmental processing under section
24 1.1306 of title 47, Code of Federal Regulations.

1 (d) PREEMPTION OF STATE AND LOCAL AUTHOR-
 2 ITY.—No State or local government or instrumentality
 3 thereof may regulate the placement, construction, modi-
 4 fication, or repair of a submarine cable with respect to
 5 which the Commission has issued a submarine cable li-
 6 cense, or a landing station of such a cable, on the basis
 7 of the environmental effects of such cable or landing sta-
 8 tion.

9 **SEC. 5. REPAIR REPORTS.**

10 (a) IN GENERAL.—With respect to any individual or
 11 entity that repairs damage to a submarine cable, a landing
 12 station of such a cable, or a terrestrial telecommunications
 13 cable, such individual or entity shall, not later than 7 days
 14 after the date on which such repair is commenced, submit
 15 to the Commission through the Network Outage Reporting
 16 System of the Commission a report on the nature of such
 17 damage (which shall include information known with re-
 18 spect to the cause of such damage).

19 (b) INFORMATION SHARING.—Not later than 7 days
 20 after the date on which a report required by subsection
 21 (a) is received by the Commission, the Commission shall
 22 transmit such report—

23 (1) to the Cybersecurity and Infrastructure Se-
 24 curity Agency; and

1 (2) in the case of a report relating to a sub-
2 marine cable or a landing station of such a cable, to
3 the Department of the Navy and the National Oce-
4 anic and Atmospheric Administration.

5 (c) **FORMAT.**—The report required by subsection (a)
6 may be submitted in classified form.

7 **SEC. 6. PROTECTION ZONE STUDY.**

8 (a) **STUDY.**—The Commission, the Secretary of the
9 Army (acting through the Chief of Engineers), and the
10 Administrator of the National Oceanic and Atmospheric
11 Administration shall jointly conduct a study on the bene-
12 fits, costs, and feasibility of the establishment by the
13 United States of submarine cable protection zones.

14 (b) **CONSULTATION.**—In conducting the study under
15 subsection (a), the Commission, the Secretary of the Army
16 (acting through the Chief of Engineers), and the Adminis-
17 trator of the National Oceanic and Atmospheric Adminis-
18 tration shall consult with the Secretary of State on infor-
19 mation with respect to submarine cable protection zones
20 established by countries other than the United States.

21 (c) **MATTERS FOR ANALYSIS.**—The study conducted
22 under subsection (a) shall include an analysis of—

23 (1) the submarine environment of the United
24 States;

1 (2) the commercial environment of the United
2 States;

3 (3) the regulatory environment of the United
4 States; and

5 (4) benefits, costs, and obstacles associated with
6 the establishment by the United States of submarine
7 cable protection zones.

8 (d) REPORT.—Not later than 540 days after the date
9 of the enactment of this Act, the Commission, the Sec-
10 retary of the Army (acting through the Chief of Engi-
11 neers), and the Administrator of the National Oceanic and
12 Atmospheric Administration shall submit to the Com-
13 mittee on Energy and Commerce of the House of Rep-
14 resentatives and the Committee on Commerce, Science,
15 and Transportation of the Senate a report containing the
16 results of the study conducted under subsection (a).

17 **SEC. 7. INCIDENTS REPORT.**

18 (a) REPORT.—Not later than 1 year after the date
19 of the enactment of this Act, and annually thereafter, the
20 Commission shall submit to the Permanent Select Com-
21 mittee on Intelligence of the House of Representatives and
22 the Select Committee on Intelligence of the Senate a re-
23 port describing any incident that creates or is the con-
24 sequence of a cybersecurity risk that was caused by a for-

1 eign country or a non-state actor during the preceding
 2 year and that targeted—

3 (1) a submarine cable with respect to which the
 4 Commission has issued a submarine cable license;

5 (2) a submarine cable of an ally (as determined
 6 by the Secretary of State) of the United States; or

7 (3) a landing station of a cable described in
 8 paragraph (1) or (2).

9 (b) FORM.—The report required by subsection (a)
 10 shall be submitted in unclassified form, but may contain
 11 a classified annex.

12 **SEC. 8. INTERNATIONAL SECURITY AGREEMENT.**

13 Not later than 180 days after the date of the enact-
 14 ment of this Act, the Secretary of State shall seek to enter
 15 into an agreement with the covered countries to establish
 16 a common set of minimum security standards with respect
 17 to submarine cables, the landing stations of such cables,
 18 and licenses to land and operate such cables.

19 **SEC. 9. PENALTIES FOR INJURY TO SUBMARINE CABLES.**

20 The Act of February 29, 1888 (Chapter 17; 25 Stat.
 21 41; 47 U.S.C. 21 et seq.), is amended—

22 (1) in the first section, by striking “shall be
 23 guilty of a misdemeanor, and, on conviction thereof,
 24 shall be liable to imprisonment for a term not ex-
 25 ceeding two years, or to a fine not exceeding five

1 thousand dollars, or to both fine and imprisonment,
2 at the discretion of the court” and inserting “shall
3 be imprisoned for not more than 25 years or fined
4 under title 18, United States Code, or both”; and

5 (2) in section 2, by striking “shall be guilty of
6 a misdemeanor, and, on conviction thereof, shall be
7 liable to imprisonment for a term not exceeding
8 three months, or to a fine not exceeding five hun-
9 dred dollars, or to both fine and imprisonment, at
10 the discretion of the court” and inserting “shall be
11 imprisoned for not more than 1 year or fined under
12 title 18, United States Code, or both”.

13 **SEC. 10. INTERNATIONAL CABLE PROTECTION COMMITTEE**
14 **MEMBERSHIP.**

15 Not later than 30 days after the date of the enact-
16 ment of this Act, the Commission shall take such actions
17 as are necessary to become a member of the International
18 Cable Protection Committee.

19 **SEC. 11. DEFINITIONS.**

20 In this Act:

21 (1) COMMISSION.—The term “Commission”
22 means the Federal Communications Commission.

23 (2) COVERED COUNTRIES.—The term “covered
24 countries” means the following:

25 (A) Australia.

1 (B) Canada.

2 (C) New Zealand.

3 (D) The United Kingdom.

4 (3) CYBERSECURITY RISK.—The term “cyberse-
5 curity risk”—

6 (A) means a threat to or vulnerability of
7 information or an information system, including
8 through—

9 (i) unauthorized access to such infor-
10 mation or information system;

11 (ii) unauthorized use of such informa-
12 tion or information system;

13 (iii) unauthorized disclosure of such
14 information or information with respect to
15 such information system;

16 (iv) unauthorized degradation of such
17 information or information system;

18 (v) unauthorized disruption of such
19 information or information system;

20 (vi) unauthorized modification of such
21 information or information system;

22 (vii) unauthorized destruction of such
23 information or information system; and

24 (viii) an act of terrorism; and

1 (B) does not include any action that solely
2 involves a violation of a consumer term of serv-
3 ice or a consumer licensing agreement.

4 (4) FEDERAL AUTHORIZATION.—The term
5 “Federal authorization”—

6 (A) means any authorization required
7 under Federal law with respect to a submarine
8 cable or a terrestrial telecommunications cable,
9 including any authorization with respect to the
10 construction, repair, or maintenance of such a
11 cable or a landing station of such a cable; and

12 (B) includes any licenses, permits, special
13 use authorizations, certifications, opinions, or
14 other approvals as may be required under Fed-
15 eral law with respect to such a cable or a land-
16 ing station of such a cable.

17 (5) STATE.—The term “State” has the mean-
18 ing given such term in section 3 of the Communica-
19 tions Act of 1934 (47 U.S.C. 153).

20 (6) SUBMARINE CABLE LICENSE.—The term
21 “submarine cable license” means a license to land or
22 operate a submarine cable required by the first sec-
23 tion of the Act of May 27, 1921 (Chapter 12; 42
24 Stat. 8; 47 U.S.C. 34).

1 (7) SUBMARINE CABLE PROTECTION ZONE.—

2 The term “submarine cable protection zone” means
3 a maritime geographic zone in which marine activity
4 may be restricted to protect a submarine cable from
5 accidental or intentional damage.

6 (8) TERRESTRIAL TELECOMMUNICATIONS

7 CABLE.—The term “terrestrial telecommunications
8 cable” means any terrestrial cable used for a tele-
9 communications purpose, including any infrastruc-
10 ture associated with such cable.

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