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Congress of the United States
House of Representatives
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December 6, 2021

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The Honorable David F. Alderman
Standards Services Division
National Institute of Standards and Technology
U.S. Department of Commerce
100 Bureau Drive
Gaithersburg, MD 20899

Re: Study on People's Republic of China (PRC) Policies and Influence in the Development of
International Standards for Emerging Technologies [NIST Docket No.: NIST-2021-0006]

Dear Mr. Alderman:

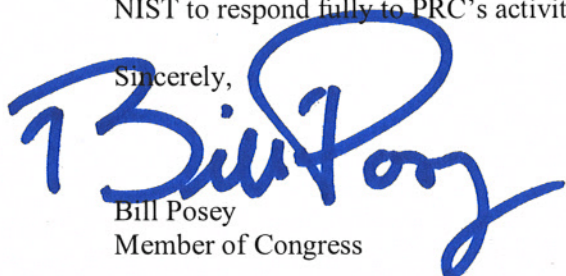
I am pleased to see that the National Institute of Standards and Technology (NIST) is proceeding, as required by Section 9414 of the National Defense Authorization Act of 2021, to study the policies and influence of the People's Republic of China (PRC) in the development of standards related to emerging technologies. I have long recognized that this is a serious and under-appreciated problem, and that PRC's efforts in this area could generate significant long-term advantages for them and disadvantages for the United States and the rest of the world.

I wish to make you aware of an amendment (attached) to the NIST for the Future Act (H.R. 4609) that was adopted by voice vote during the House Science, Space, and Technology Committee's markup of the bill in July. We worked together on a bipartisan basis to formulate and adopt this amendment, which urges NIST to participate in international standards activities involving PRC or PRC firms in a way that reaffirms the United States government's commitment to World Trade Organization principles for international standards development groups, including transparency, openness, impartiality and consensus, effectiveness and relevance, coherence, and a development dimension.

The amendment should help NIST ensure that the processes of any major international standards body is sufficiently robust to resist being co-opted by a self-interested participant. We believe this approach will help mitigate undue influence by PRC in international standards bodies, without fracturing them or sidelining NIST. If a standards body cannot live up to these principles, NIST's work will be severely hampered.

I urge NIST to move quickly to examine this issue, and to take steps to address it. I look forward to NIST's report, and to helping provide such additional legislative authority as may be needed to enable NIST to respond fully to PRC's activities.

Sincerely,



Bill Posey
Member of Congress

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4609
OFFERED BY MR. POSEY OF FLORIDA**

Page 51, after line 16, insert the following:

(c) REAFFIRMING THE IMPORTANCE OF VOLUNTARY CONSENSUS-BASED INTERNATIONAL STANDARDS BODIES. —To the extent applicable, the Institute, when preparing standards, participating in voluntary consensus standard bodies, and engaging in a standards development process that is open to participation from Chinese firms and state-owned enterprises of the People's Republic of China, the process should include the following attributes that are easily accessible, clear, and unambiguous:

- (1) Transparency.
- (2) Openness.
- (3) Impartiality and Consensus.
- (4) Effectiveness and Relevance.
- (5) Coherence.
- (6) Development Dimension.