



125

One Hundred Fifteenth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

February 16, 2017

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Chairman Pai:

Congratulations on your designation to serve as the Chairman of the Federal Communications Commission (FCC). I look forward to working with you.

On September 28, 2016, I sent a letter to then-Chairman Wheeler regarding my ongoing concerns regarding potential security vulnerabilities in the new the Number Portability Administration Center (NPAC) contract. I am extremely disappointed that the FCC was unable to respond to my letter in the nearly four months between receipt and the Administration transition.

Given the importance of this issue, I respectfully request that the FCC review the concerns in my September 2016 letter and provide a response no later than March 3, 2017.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter T. King", written over a horizontal line.

PETER T. KING  
Chairman  
Subcommittee on Counterterrorism  
and Intelligence

enclosure



**One Hundred Fourteenth Congress**  
**U.S. House of Representatives**  
**Committee on Homeland Security**  
**Washington, DC 20515**  
September 28, 2016

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Wheeler:

The Federal Communication Commission (FCC), with support from law enforcement and intelligence agencies, has mandated important security requirements as part of the contract for the Number Portability Administration Center (NPAC). It is my understanding that the FCC worked closely with other Federal agencies, including the Federal Bureau of Investigation and the Department of Homeland Security, to determine what additional national security requirements were necessary for inclusion in the NPAC contract. While I commend these vital coordination efforts, I am writing to express my continued national security concerns related to the NPAC contract.

As you know, the continued functioning of the NPAC is essential for the American public and provides law enforcement with critical investigative tools. The construction of the new NPAC system and subsequent operations must be secure from both cyber attacks and espionage. The NPAC operator has unique access to nearly every phone call made within the United States. The integrity of the phone database must not be compromised either through the construction or the system or its day-to-day operation.

It is my understanding that the FCC has already encountered security violations with the new contractor. In addition to the remediation measures already underway, I am writing to ask the FCC to coordinate with the Department of Homeland Security (DHS) to conduct a vulnerability assessment of the NPAC system under development and address and identified vulnerabilities. Additionally, I urge you to conduct a third party review of the system to ensure security measures are in place. As you know, there are a number of qualified, vetted Federally Funded Research and Development Centers (FFRDC) that could be utilized for this purpose. Moreover, I have concerns that the FCC lacks robust monitoring and auditing mechanisms to verify that the security protocols are being followed.

The completion of the new system is still several years away. Therefore, there is time to ensure that the new system is secure and that your agency has programs in place for rigorous oversight over the contact. I respectfully request a written response to these concerns not later than

October 31, 2016. Please contact Mandy Bowers on my staff at 202-226-8417 if you have any questions.

Thank you for your attention to this matter.

Sincerely,



PETER T. KING  
Chairman  
Subcommittee on Counterterrorism  
and Intelligence

cc: The Honorable Jeh Johnson, Secretary, Department of Homeland Security  
The Honorable James Comey, Director, Federal Bureau of Investigation