

United States Senate

WASHINGTON, DC 20510

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June 5, 2019

The Honorable Patrick Shanahan
Acting Secretary
United States Department of Defense
1300 Defense Pentagon
Washington, DC 20301

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

Dear Secretary Shanahan and Chairman Pai:

We write to bring to your attention our deep concerns regarding the inclusion of Huawei in efforts to develop a spectrum access system (SAS) and environmental sensing capability (ESC) to facilitate spectrum sharing between the United States Navy and the commercial sector in the 3500 – 3700 GHz band (3.5 band). The United States Navy utilizes the 3.5 band for systems critical to national defense.

We are alarmed that Huawei has been included in the development of SAS and ESC technology for the 3.5 band through its participation in the Wireless Innovation Forum (WinnForum). The WinnForum has been intimately involved in SAS and ESC research and development, and counts Huawei and ZTE among its members. Both companies are listed as security concerns under Section 889 of the fiscal year 2019 National Defense Authorization Act (P.L. 115-232). Moreover, representatives from Huawei are included on Ex Parte notices filed with the Federal Communications Commission when WinnForum Spectrum Sharing Committee Members updated the Commission on its work.

The Executive Order issued May 15, 2019, declares a national emergency with respect to threats against information and communications technology and services in the United States. Given that spectrum is an integral part of the information and communications landscape, and given the importance of the 3.5 band to national defense, we would like answers to the following questions: What steps are being taken to fully assess Huawei's involvement in SAS and ESC development? What steps are being taken to mitigate Huawei's further involvement? To what extent does Huawei's involvement in the WinnForum provide unique knowledge of the Navy's utilization of the 3.5 band? What are the long-term implications for use of SAS and ESC technology specifically and spectrum sharing generally?

Thank you for your attention to this matter. We look forward to your prompt responses to these questions, including, if necessary, a classified annex.

Sincerely,



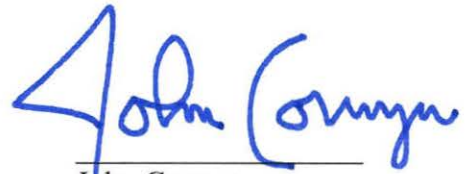
Marsha Blackburn
United States Senator



Richard Blumenthal
United States Senator



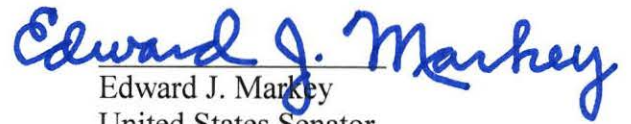
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Dan Sullivan
United States Senator