

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives

938

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

November 23, 2020

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Dear Chairman Pai,

It is a top bipartisan, bicameral priority of the United States Congress to ensure that our nation's communications networks are secure. The United States cannot allow the critical networks upon which consumers rely to be subject to espionage and malicious disruption by hostile foreign actors.

Earlier this year, H.R. 4998, the Secure and Trusted Communications Networks Act (STCNA), was signed into law.¹ The Act provides the Federal Communications Commission (FCC) with several new authorities to secure our communications supply chain, including the establishment and administration of the Secure and Trusted Communications Networks Reimbursement Program (Program).² Through this Program, small communications providers may seek reimbursement for the cost of removing and replacing suspect network equipment. This funding is critical because some small and rural communications providers would not otherwise be able to afford these upgrades. Among the responsibilities entrusted to the FCC to carry out the Program is the development of a list of suggested replacements for suspect equipment, including physical and virtual communications equipment, application and management software, and services.³

While the Program has not yet been funded by Congress, there is demonstrated bipartisan and bicameral support for doing so.⁴ In the meantime, carriers are moving forward to remove their suspect equipment and need guidance. There are specific steps the FCC can take to help

¹ Pub. L. 116-124 (2020).

² *Id.*

³ *Id.*

⁴ H.R. 7668, Financial Services and General Government Appropriations Act, 2021, Div. D; S. 4320, Coronavirus Response Additional Supplemental Appropriations Act, 2020, Div. B, Sec. 103.

The Honorable Ajit V. Pai

November 23, 2020

Page 2

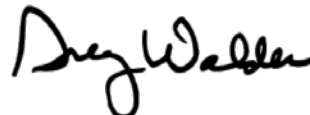
companies eligible for reimbursement under the Program plan, prepare, and begin acting to remove and replace this equipment. First, the FCC should develop and release the list of eligible replacement equipment, software, and services as soon as possible. Second, the agency should reassure companies that they will not jeopardize their eligibility for reimbursement under the Program just because replacement equipment purchases were made before the Program is funded, assuming other eligibility criteria are met.

The COVID-19 pandemic has demonstrated the importance of having reliable and secure communications services, and companies eligible for reimbursement under the Program will have to engage in very careful and intentional planning to replace suspect equipment while at the same time not disrupting its service. We urge you to take these specific, non-controversial actions as quickly as possible so these important efforts to secure our communications networks are not delayed.

Sincerely,



Frank Pallone, Jr.
Chairman



Greg Walden
Ranking Member