



June 23, 2016

Ex Parte

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: *Technology Transitions (GN Docket No. 13-5); AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition (GN Docket No. 12-353)*

Dear Ms. Dortch:

On Tuesday, June 21, 2016, Diane Holland and the undersigned of the United States Telecom Association (USTelecom), along with Dave Talbott, Chris Boyer and Joe Marx (by phone) of AT&T, Malena Barzilai (by phone) of Windstream, Stacey Hartman, Paul Diamond and Craig Brown (all by phone) of CenturyLink, and Nneka Chiazor of Verizon met with Peter Saharko, Daniel Kahn, Carol Matthey, Michele Berlove and Megan Capasso (by phone) of the Wireline Competition Bureau (WCB), along with Theodore Marcus, Jeffery Goldthorp and Nicole McGinnis of the Public Safety & Homeland Security Bureau (PSHSB) in person to discuss certain aspects of the above-referenced proceedings.

We explained that cybersecurity management activities involve, among other things, continuous assessments of corporate security policy, allocation of capital, assignment of executive and management responsibilities, operational processes, technology solutions and deployment, and human resource allocation, training and oversight. These functions are managed in a centralized and coordinated fashion by individuals and organizations based on an entity-wide perspective to ensure a coordinated, efficient and scalable risk management process, and thus do not lend themselves to application in a limited geographic area such as a wire center or to a specific product, as in the context of a section 214 application. Imposing a new cybersecurity compliance regime on such granular levels runs counter to an enterprise-wide risk management process. Cybersecurity practices designed to identify, protect, detect, respond and recover should be deployed uniformly across infrastructure platforms and broad service territories; not in isolated and piecemeal ways that could prove to be counterproductive.

We further explained how the voluntary nature of the NIST Cybersecurity Framework construct is inconsistent with any regulatory process that would require compliance with the Framework in a manner that could lead to an enforcement action. The NIST Cybersecurity Framework Version 1.0, as directed in Presidential Executive Order 13636 (EO), called on NIST to develop a voluntary, prioritized, cost effective framework that could be used as a risk

Ms. Marlene Dortch

June 23, 2016

Page 2

management tool across all critical infrastructure sectors. In our meeting with staff, we described the year long effort by over 100 cybersecurity professionals in CSRIC IV Working Group 4 to adapt the framework to the five segments within the communications sector (broadcast, cable, satellite, wireless and wireline). We emphasized that the framework is voluntary and intended for use by individual companies in accordance with their risk tolerance and threat profile. Thus, we explained, requiring that parties certify compliance with the framework would be inconsistent with all of the previous work and prior statements by government and FCC officials.

We also explained that our member companies have a clear business imperative to adopt appropriate cybersecurity practices as their core business depends on the confidentiality, integrity and availability of their networks and services. They have every incentive to ensure that the transition to a new service does not compromise existing levels of service delivery and assurance. We hope that the FCC remains mindful of the progress we have made in this vital area through the industry led, collaborative and voluntary cybersecurity initiatives that the FCC has encouraged over these past several years.

Pursuant to Commission rules, please include this ex parte letter in the above-identified proceedings. Please do not hesitate to contact me should you have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Mayer". The signature is fluid and cursive, written over a white background.

Robert Mayer
Vice President, Industry and
State Affairs

cc: Carol Matthey
Daniel Kahn
Peter Saharko
Michele Berlove
Megan Capasso
Jeffery Goldthorp
Nicole McGinnis
Theodore Marcus