

United States Senate

WASHINGTON, DC 20510

341

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,



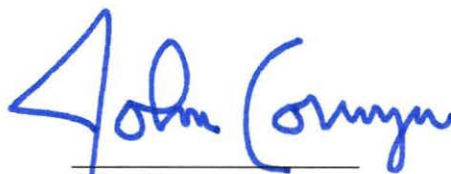
Marsha Blackburn
United States Senator



Richard Blumenthal
United States Senator



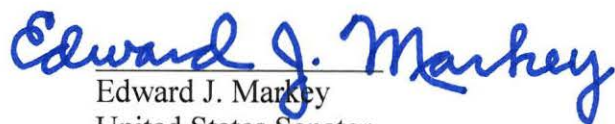
Susan M. Collins
United States Senator



John Cornyn
United States Senator



Tom Cotton
United States Senator



Edward J. Markey
United States Senator



Dan Sullivan
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 21, 2019

The Honorable Dan Sullivan
United States Senate
302 Hart Senate Office Building
Washington, DC 20510

Dear Senator Sullivan:

Thank you for your letter regarding concerns for the inclusion of Huawei in the development of a spectrum access system and environmental sensing capability for the purpose of spectrum-sharing between the United States Navy and the commercial sector in the 3.5 GHz (CBRS) band.

It is my understanding that Huawei has had limited involvement in the Wireless Innovation Forum process. In fact, its membership was suspended on May 21, 2019. While I would of course defer to my counterpart at the Department of Defense, I have also been informed that Huawei has not had access to any materials regarding military operations, including those of the Navy, beyond what has been made publicly available. Finally, in terms of the long-term implications for spectrum access system and environmental sensing capability technology, the aim is to establish and maintain a secure technological platform that allows users of CBRS spectrum to identify with precision and share as appropriate access to this scarce public resource. Doing so effectively and efficiently will speed deployment of services, particularly those involving 5G.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, reading "Ajit V. Pai". The signature is fluid and cursive, with the first name "Ajit" being the most prominent part.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 21, 2019

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20510

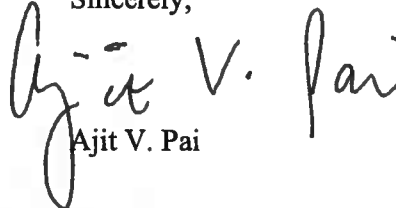
Dear Senator Markey:

Thank you for your letter regarding concerns for the inclusion of Huawei in the development of a spectrum access system and environmental sensing capability for the purpose of spectrum-sharing between the United States Navy and the commercial sector in the 3.5 GHz (CBRS) band.

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Ajit V. Pai



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August 21, 2019

The Honorable John Cornyn
United States Senate
517 Hart Senate Office Building
Washington, DC 20510

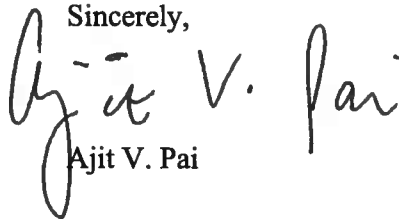
Dear Senator Cornyn:

Thank you for your letter regarding concerns for the inclusion of Huawei in the development of a spectrum access system and environmental sensing capability for the purpose of spectrum-sharing between the United States Navy and the commercial sector in the 3.5 GHz (CBRS) band.

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Ajit V. Pai



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August 21, 2019

The Honorable Marsha Blackburn
United States Senate
B40B Dirksen Senate Office Building
Washington, DC 20510

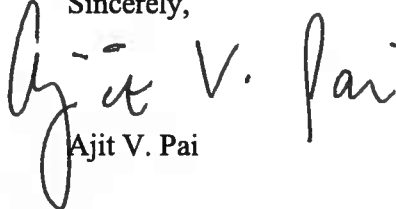
Dear Senator Blackburn:

Thank you for your letter regarding concerns for the inclusion of Huawei in the development of a spectrum access system and environmental sensing capability for the purpose of spectrum-sharing between the United States Navy and the commercial sector in the 3.5 GHz (CBRS) band.

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August 21, 2019

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, DC 20510

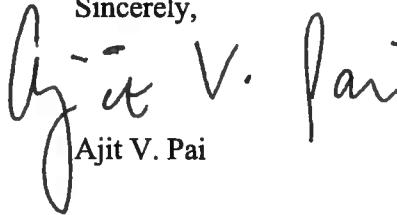
Dear Senator Blumenthal:

Thank you for your letter regarding concerns for the inclusion of Huawei in the development of a spectrum access system and environmental sensing capability for the purpose of spectrum-sharing between the United States Navy and the commercial sector in the 3.5 GHz (CBRS) band.

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The Honorable Susan Collins
United States Senate
413 Dirksen Senate Office Building
Washington, DC 20510

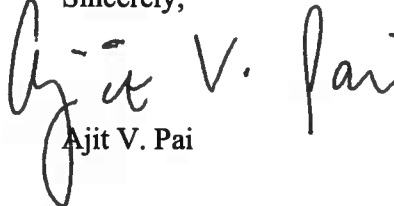
Dear Senator Collins:

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August 21, 2019

The Honorable Tom Cotton
United States Senate
124 Russell Senate Office Building
Washington, DC 20510

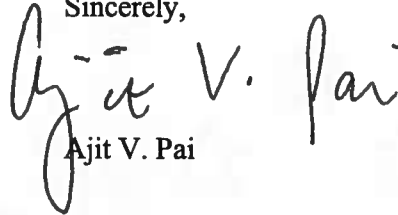
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