

July 12, 2010

Commission's Secretary
Office of the Secretary
Federal Communications Commission
445 12th St., SW., Room TW-A325
Washington, DC 20554

Re: Comments on PS Docket No. 10-93 and/or rulemaking FCC 10-63

To Whom It May Concern:

I am writing on behalf of the American National Standards Institute (“ANSI”). ANSI is a private not-for-profit organization whose mission is to enhance U.S. global competitiveness and the American quality of life by promoting, facilitating and safeguarding the integrity of the voluntary standardization and conformity assessment systems. ANSI represents the interests of more than 125,000 companies and 3.5 million professionals worldwide. The institute is the official U.S. representative to the International Organization for Standardization (ISO) and, via the U.S. National Committee, the International Electrotechnical Commission (IEC) and is a U.S. representative to the International Accreditation Forum (IAF). Accordingly, ANSI’s comments herein are offered within this context and in light of our role as the coordinator of the voluntary consensus standards and conformity assessment systems in the US and not as a technical expert. We appreciate your continuing interest in increasing the security of the nation’s broadband infrastructure and promoting vigilant cyber security practices among communications providers and end users. Developing a program that would shed light on the need to improve cyber security practices and that would develop approaches to make concrete improvements in this area is an important public policy goal.

We believe that through a well-crafted public-private partnership such a program can:

- (1) Increase the security of the nation's broadband infrastructure;
- (2) Promote a culture of more vigilant cyber security among participants in the market for communications services; and
- (3) Offer end users more complete information about their communication service providers' cyber security practices.

We would also like to commend the Commission on reviewing the 2009 Global State of Information Security study that showed that budgets for information security initiatives are being reduced at a time of heightened attacks and the 2008 Data Breach Investigation Report which concluded that 87% of cyber breaches could have been avoided if reasonable security controls had been in place which would include properly credentialed professionals responsible for assuring the necessary security controls needed are properly implemented. We also commend the Commission on its actions in supporting the Network Reliability and Interoperability Council

(NRIC) best practices for securing computers and other software-controlled network equipment to industry.

We would like to respond to the issue whether a voluntary incentives-based certification program should be developed in which participating communications service providers will receive network security assessments by approved, private-sector auditors, who will examine those provider's adherence to stringent cyber security practices that have been developed, through consensus, by a broad-based public-private sector partnership and whether this program should be voluntary or mandatory.

Specifically, the Commission seeks comment on whether ANSI accreditation procedures should formally apply to the certification authority in regard to the accreditation of standard developers. If so, should it be the Organization Method or the Standards Committee Method that applies?

By way of background, with respect to standards development, ANSI accredits the procedures of standards developers in accordance with the due process requirements established in the *ANSI Essential Requirements: Due process requirements for American National Standards (ANSI Essential Requirements)*. ANSI's requirements mirror those contained in the definition of "voluntary consensus standards" as set forth in OMB Circular A-119. Accreditation by ANSI means that the procedures used by a standards developer in connection with the development of evidence of consensus in support of a draft standard's approval as an American National Standard (ANS) satisfy ANSI's procedural requirements. ANSI does not distinguish among methods of standards development, *e.g.*, organization versus committee. All ANSI-accredited standards developers are required to satisfy the same criteria and are subject to the same neutral, third-party ANSI oversight. Moreover, one cannot meaningfully distinguish among methods as some standards development organizations implement their consensus processes via committees, while others employ different, yet equivalent, models.

The ANS process and ANSI's accreditation of standards developers exemplifies a robust and effective public-private partnership that benefits our nation and minimizes public-sector costs. The benefits of ANSI's standards-developer accreditation program and of the approval of standards as ANSs include credibility, process integrity, public recognition and other advantages that are summarized in the ANS Value brochure available at www.ansi.org/ansvalue. ANSI-accredited standards developing organizations - and the experts that populate the consensus bodies of these groups as voting members as well as the public that contributes to the standards by commenting on them - serve an important public interest function in devising ANSs. The public interest is both served and protected if the standards development process is accredited by ANSI as meeting the Institute's requirements for openness, balance, consensus, appeals and other due process safeguards.

There are some 223 ANSI-accredited standards developers working in a broad range of areas of standardization. A complete list is available at www.ansi.org/asd. A number of ANSI-accredited standards developers, including IEEE, INCITS, ATIS, NEMA, SCTE, TIA, CEA and others are already involved as leaders in relevant standardization activities. We encourage FCC reliance on ANSI and the ANS process, which provide all interested parties - government, industry, consumers and other materially affected interests - with a neutral venue to come

together and work towards common agreements. As the coordinator of the U.S. voluntary consensus standards system, ANSI serves as a facilitator, providing an infrastructure and process by which proposed ANSs may be vetted. ANSI's role is to safeguard the integrity of this system, which by design, is based on a public-private partnership that is driven by the needs of the range of markets in this country and by the public interest.

The ANSI procedures for accrediting standards developers could be utilized for this program. This would result in an ANS that has industry acceptance and very specific comprehensive requirements.

In addition to ANSI's program for accrediting standard developers, ANSI also accredits certification bodies that certify systems, products and personnel. Accreditation of certification bodies further assures that they are properly implementing their policies and procedures; that the necessary security controls are in place; and that the people responsible possess the competencies needed to ensure that controls are in place and functioning correctly.

The standard that may be most appropriate for this accreditation process – and implemented by ANSI - is ISO/IEC 17011 – *Conformity Assessment – General requirements for accreditation bodies accrediting conformity assessment bodies*. Additionally, it appears that one or more personnel certification bodies should be identified to certify the auditors of the communication service providers. The auditors who perform this assessment under a national standard should be certified in accordance with ANSI/ISO/IEC 17024 – *Conformity Assessment – General requirements for bodies operating certification of persons*. These auditors must be certified minimally in the four identified knowledge domains (a) security equipment management (b) updating software (c) intrusion prevention and detection (d) intrusion analysis and response. Auditors would need to be experts in the requirements of broadband service providers as well as the auditing process.

We appreciate the opportunity to respond to this Request for Comment by the Federal Communications Commission on the development of a Cyber Security Certification Program. This is an issue where there is a great deal of expertise and developed best practices available from groups in the private sector such as ANSI, (ISC)² and others that can be helpful at the FCC addresses the issue. We look forward to working with the Commission.

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