November 7, 2023

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Patty Murray
Chair
Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable Susan Collins
Vice Chair
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Chair Murray, and Vice Chair Collins:

As the Senate considers the President's Supplemental Requests, we respectfully request that the Senate focus especially on the immediate national security priority of ensuring that broadband networks in the United States are secure and able to continue providing connectivity to rural communities and remote parts of our country. The President has requested $3.1 billion to "[f]ully reimburse eligible communications providers for the ongoing removal of insecure equipment and software from communications infrastructure that may pose a national security threat to the United States."[1] As representatives of an industry faced by these national security challenges, we urge the Committee to include this funding in emergency supplemental spending legislation.

This funding is critical to maintaining connectivity across large areas of the country and is needed to fulfill the national security mandate Congress created through the Secure and

[1] *FACT SHEET: White House Calls on Congress to Support Critical Domestic Needs*, THE WHITE HOUSE, (Oct. 25, 2023), https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/25/fact-sheet-white-house-calls-on-congress-to-support-critical-domestic-needs/ (emphasis removed).

Trusted Communications Networks Reimbursement Program ("Reimbursement Program").[2] Congress directed the Federal Communications Commission ("FCC") to establish the Reimbursement Program to "advance our national security by supporting the removal, replacement, and disposal of communications equipment and services produced by or provided by Huawei Technologies Company or ZTE Corporation from our nation's communications networks."[3] The Reimbursement Program faces a $3.08 billion shortfall based on cost estimates from approved applications, and because demand for support exceeds current funding, the FCC has been required to prorate funds, making 39.5% of approved funding currently available for each program participant as they venture to complete 100% of their projects.[4] This funding shortfall threatens the success of the Reimbursement Program and risks the reduction or elimination of communications services provided by carriers with covered equipment and services (often in rural and underserved areas of our nation).

Absent full funding of the Reimbursement Program, millions of Americans could lose access to even basic connectivity because impacted carriers cannot complete their projects with less than 40% of the needed funding. For example, one group of five wireless carriers participating in the Reimbursement Program collectively serve under 200,000 subscribers, but they connected over 60 million Americans last year who roamed onto their networks because no other service was available, including for emergency services and 9-1-1. Furthermore, for one carrier, the area to which it provides service could drop by about 66% without full funding – leaving only about 34% of its existing coverage area that would still be served if the funding stays at only 39.5%.

Time is of the essence, and the clock is ticking because Reimbursement Program's participants have a one-year statutory deadline to complete their projects.[5] The FCC recently acted under its limited statutory authority and granted several requests to extend these deadlines for six months, largely based on the lack of funding and due to no fault of the carriers.[6] While this relief was necessary, additional time without sufficient funding undermines the successful completion of the Reimbursement Program. Importantly, FCC Chairwoman Rosenworcel recently noted that "the grant of these extensions does not lessen the urgency for a fully funded Reimbursement Program. Indeed, the lack of full funding means that insecure equipment will remain in our Nation's communications networks for a longer period."[7] Carriers with impacted equipment already have been largely unable to service or upgrade their

[2] *See* Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 134 Stat. 158 (2019), https://www.congress.gov/116/plaws/publ124/PLAW-116publ124.pdf.
[3] Letter from Jessica Rosenworcel, Chairwoman, Fed. Commc'ns Comm'n, "Update to Members of Congress Regarding the Secure and Trusted Communications Networks Reimbursement Program" at 1 (May 3, 2023), https://docs.fcc.gov/public/attachments/DOC-393206A1.pdf.
[4] *Id*. at 2.
[5] *See* 47 U.S.C. § 1603(d)(6)(A).
[6] *See, e.g.,* Fed. Commc'ns Comm'n, *Order*, Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs, DA 23-938 (rel. Oct. 10, 2023), https://docs.fcc.gov/public/attachments/DA-23-938A1.pdf.
[7] Letter from Jessica Rosenworcel, Chairwoman, Fed. Commc'ns Comm'n, "Update to Members of Congress Regarding the Secure and Trusted Communications Networks Reimbursement Program" at 2 (Oct. 10, 2023), https://docs.fcc.gov/public/attachments/DOC-397596A1.pdf.

networks for three years due to federal restrictions, increasing chances for network failures, cutting off connectivity for customers, and jeopardizing roaming coverage for millions of Americans as they travel in rural areas.

The United States has led the world in raising concerns about the use of insecure communications equipment and services and has strongly urged allies and other nations to remove this equipment that is currently in use and to prohibit future deployments. Indeed, Secretary of State Antony Blinken recently said, "we're promoting trusted digital infrastructure. We want countries to continue to adopt digital infrastructure – wireless networks, cloud, undersea cables – that are secure, reliable, and interoperable, and that allow for greater protection against human rights abuse, privacy violations, and threats to national security and global stability."[8] Additional funding is urgently needed to complete this process at home and to maintain connectivity in many rural areas while addressing a national security mandate and demonstrating global leadership.

Thank you for your consideration of this issue.

Sincerely,

Competitive Carriers Association
Information Technology Industry Council (ITI)
NATE: The Communications Infrastructure Contractors Association
NTCA – The Rural Broadband Association
Rural Wireless Association
Telecommunications Industry Association
Wireless Infrastructure Association
WISPA – Broadband Without Boundaries
WTA — Advocates for Rural Broadband

cc:
The Honorable Maria Cantwell, Chair, Senate Committee on Commerce, Science and Transportation
The Honorable Ted Cruz, Ranking Member, Senate Committee on Commerce, Science and Transportation

[8] *Secretary Antony J. Blinken Video Remarks at the Special Competitive Studies Project (SCSP)'s Global Emerging Tech Summit*, U.S. DEPT. OF STATE (Sept. 21, 2023), https://www.state.gov/secretary-antony-j-blinken-video-remarks-at-the-special-competitive-studies-project-scsps-global-emerging-tech-summit/.