

**Cybersecurity: An Examination of the Communications Supply Chain  
Before the Committee on Energy and Commerce  
Subcommittee on Communications and Technology  
U.S. House of Representatives  
Hearing Held: May 21, 2013**

**Response to Questions For The Record From The Honorable Anna Eshoo  
By Stewart A. Baker  
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**Question 1:**

**The GAO's report explores the concept of expanding the U.S. government's Committee on Foreign Investment in the United States (CFIUS) review process to include network provider purchases of foreign-manufactured equipment. The report notes a series of concerns that could result such as trade barriers, additional costs, and constraints on competition. Do you believe the benefits outweigh the drawbacks of expanding the CFIUS review process?**

**Response:**

CFIUS and Team Telecom already have broad authority, and they seem to have exercised that authority already to set limits on foreign manufactured equipment in the Sprint case. Before expanding CFIUS's authority we should make sure that the change is actually necessary.

**Question 2:**

**Should the FCC review procurements of foreign equipment by U.S. companies operating on our telecommunications networks?**

**Response:**

The FCC currently does not have any explicit authority to regulate the purchase of foreign equipment by US companies. It does, however, seem clear that the largest carriers are currently paying close attention to the US government's concerns in that area. So continuing to voice those concerns may at least be a good starting point.

**Question 3:**

**To what extent does our nation's intelligence community work with the FCC to assess threats to our telecommunications infrastructure?**

**Response:**

The FCC has a generally cooperative relationship with the intelligence and defense communities. That is in large part due to the deference the FCC pays to Team Telecom as the representative of US national security interests in telecom infrastructure. The deference in my experience has been quite genuine and cooperative, despite the lack of a statutory requirement.