



July 13, 2020

Via E-Mail

Attn: Evelyn Remaley

Associate Administrator, Office of Policy Analysis and Development

National Telecommunications and Information Administration

U.S. Department of Commerce

1401 Constitution Avenue

NW, Room 4725

Washington, DC 20230

Supplychaininfo@ntia.gov

Re: EchoStar/Hughes Comments in Promoting the Sharing of Supply Chain
Risk Information between Government and Communications Providers and Suppliers
Docket No. 200609-0154

Dear Ms. Remaley:

Hughes Network Systems, LLC and EchoStar Satellite Services, L.L.C. (collectively, EchoStar/Hughes), U.S.-headquartered companies,¹ hereby provide their comments in the above referenced proceeding (hereinafter, RFC).² EchoStar/Hughes is a leader in satellite communications as a global satellite operator and provider of satellite communications as well as a U.S. manufacturer of satellite terrestrial infrastructure. Today, EchoStar/Hughes has over 1.4 million satellite broadband users in North America and offers a range of satellite services across the globe.

EchoStar/Hughes has a long history of ensuring the security of its communications networks and equipment and therefore, fully supports the efforts of the National Telecommunications and Information Administration (NTIA), as well as the Office of the Director of National Intelligence, the Department of Homeland Security, the Federal Bureau of Investigations, and the Federal Communications Commission in their carrying out of the mandates of Section 8 of the Secure and Trusted Communications Act of 2019 (Act).³ As detailed below, EchoStar/Hughes supports the efforts of NTIA to develop a plan for Congress on facilitating information sharing of supply chain information from the Federal government to trusted providers and suppliers to better secure our essential telecommunications networks.

¹ EchoStar Satellite Services, L.L.C. and Hughes Network Systems, LLC are subsidiaries of EchoStar Corporation, a Colorado-based company.

² National Telecommunications and Information Administration, *Promoting the Sharing of Supply Chain Security Risk Information Between Government and Communications Providers and Suppliers*, Request For Comment, Docket No. 200609-0154, 85 Fed. Reg. 36,919 (rel. June 12, 2020) (“RFC”).

³ *Secure and Trusted Communications Network Act of 2019, Public Law 116-124, 8, 134 Stat. 158, 168 (2020) (codified at 47.U.S.C. 1607).*

EchoStar Corporation



EchoStar/Hughes supports NTIA proposals for definitions of the “trusted providers and suppliers” and “foreign adversaries.”⁴ In addition, EchoStar/Hughes supports the proposed definition of “advanced communications services”⁵ but urges NTIA to particularly adhere to the requirements that this be technology neutral. At times, different definitions of “broadband” - which is used in Section 706 of the Telecommunications Act of 1996 - have resulted in the exclusion of certain technologies from the definition of broadband, including satellite. As the Administration has noted, the 5G ecosystem will be a network of networks and will include a variety of technologies including satellite.⁶ Therefore, in order to meet the requirements and intent of the Trusted Communications Act of 2019, NTIA should adopt a definition for advanced communications services that encompasses all communications technologies; whether on the ground or in the sky.

EchoStar/Hughes also supports a broad definition of what constitutes “supply chain risk information”⁷ that will be shared by the government. This definition should include all information which will assist industry in identifying, avoiding, and mitigating ICT supply chain risks. Sufficient information must be provided about: 1) the nature of the risk; 2) the time sensitive nature of the risk (specifically, how soon should the entity be prepared to act); 3) potential impacts; and 4) possible remediations.

While EchoStar/Hughes recognizes this will be quite a significant amount of information for an entity to parse through or to organize, the government can organize the information through a wiki-type portal that allows users to easily locate the information that is relevant to them. Such a portal will enable cleared users to access the information most relevant to them. In order to alert users of time sensitive or otherwise critical information, there should be an alert system incorporated, so that users can receive appropriate text alerts about new information being posted. This type of alert system will enable users to stay up to date on all time sensitive information, removing the risk that something is missed because a user did not check the portal.

Regarding performance-essential security risk information, the United States government should issue companies an adequate number of clearances. The exact number would depend on each company’s size and risk for exposure. At a minimum, each company, irrespective of size should be issued 3-4 such clearances to allow for a primary point of contact and a back-up to representatives from each potentially impacted company group. The government should have flexibility to allow additional clearances for larger companies or where other circumstances warrant because a one size fits all approach may result in severely limiting who has access to the information, in a detrimental way. For each alert the U.S. government should identify what information can be shared with foreign operations of multinational companies and, for information that the government limits, there should be a review process for exceptional circumstances that warrants such sharing.

⁴ See RFC at 35,920-35,921.

⁵ *Id* at 35,921.

⁶ *Ensuring America Reaches its 5G Potential*, White House Office of Science and Technology Policy, 30 May 2019 <https://www.whitehouse.gov/articles/ensuring-america-reaches-its-5g-potential/>

⁷ See RFC at 35,921.



EchoStar/Hughes appreciates the opportunity to comment in this RFC. Creating an easy to use, secure platform for the government sharing of supply chain risk information is critical to ensure the national security. EchoStar/Hughes urges NTIA to adopt a system that includes all critical telecommunications service providers and equipment manufacturers and makes the information available in an easy to access portal with timely alerts for critical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer A. Manner", with a long horizontal stroke extending to the right.

Jennifer A. Manner
Senior Vice President, Regulatory Affairs
EchoStar Satellite Operating Company, LLC
Hughes Network Systems, LLC