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June 13, 2019

Secretary Michael Pompeo
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Trade Representative Robert Lighthizer
Office of the U.S. Trade Representative
600 17th Street NW
Washington, DC 20006

Dear Secretary Pompeo and Trade Representative Robert Lighthizer:

We are writing to express our deep concern that the Administration may concede on important national security matters related to Huawei Technologies, Inc. and the adoption of fifth-generation wireless telecommunications technology (5G) in order to achieve a favorable outcome in the Administration's trade negotiations.

As Members of the Senate Select Committee on Intelligence (SSCI), we have strongly supported efforts by our diplomats, military, and intelligence personnel to persuade allies and partners around the world that Huawei and other Chinese telecommunications firms present a long-term legitimate security threat to their network security, data privacy, and economic security. As you know, Chinese telecommunications equipment poses a threat that intelligence and military officials assess will only become more acute as energy infrastructure, transportation networks and other critical functions move to 5G networks and as millions more Internet of Things (IoT) devices are connected.

Despite best efforts of our government to convince other countries to keep Huawei components out of their 5G infrastructure, our message is being undermined by concerns that we are not sincere. For example, Europeans have publicly expressed fears that the Administration will soften its position on Huawei in the United States to gain leverage in trade talks, as the Administration did in June 2018 when the seven-year ban on ZTE was reversed and a new settlement agreement reached at the urging of President Xi over the recommendation of Commerce Department leadership. The President himself reinforced these fears in late March, stating:

“Huawei is something that’s very dangerous. You look at what they’ve done from a security standpoint, from a military standpoint. It’s very dangerous. So it’s possible that Huawei even would be included in some kind of a trade deal. If we made a deal, I could imagine Huawei being possibly included in some form of or some part of a trade deal.”¹

Allowing the use of Huawei equipment in U.S. telecommunications infrastructure is harmful to our national security. In no way should Huawei be used as a bargaining chip in trade negotiations. Instead, the U.S. should redouble our efforts to present our allies with compelling data on why the long-term network security and maintenance costs on Chinese telecommunications equipment offset any short-term cost savings. Any modifications to Huawei’s Temporary General License must be pursued in a risk-based way, separate from any trade negotiations, and consistent with national security considerations. Successfully identifying and mitigating these security risks requires sustained coordination and alignment with our international partners, particularly the Europeans who represent key parts of the 5G supply chain, and India, which is poised to be the single-largest telecommunications market. Conflating national security concerns with levers in trade negotiations undermines this effort, and endangers American security.

We appreciate your attention to this important matter of national security and request that you keep us apprised of your efforts.

Sincerely,



Mark R. Warner
Vice Chairman



Marco Rubio
U.S. Senator

¹ “Remarks by President Trump on Supporting America’s Farmers and Ranchers.” *The White House*, 23 March 2019, www.whitehouse.gov/briefings-statements/remarks-president-trump-supporting-americas-farmers-ranchers/. Last accessed June 6, 2019.