



January 11, 2024

The Honorable Cathy McMorris Rodgers
Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Rayburn House Office Building
Washington, DC 20515

The Honorable Bob Latta
Rayburn House Office Building
Washington, DC 20515

The Honorable Doris Matsui
Rayburn House Office Building
Washington, DC 20515

Dear Chair McMorris Rodgers, Ranking Member Pallone, Chair Latta and Ranking Member Matsui,

In advance of the Energy and Commerce Committee's Subcommittee on Communications and Technology Hearing on "Safeguarding Americans' Communications: Strengthening Cybersecurity In A Digital Era," we write as a coalition of trade associations who have a vested interest in the success of the Federal Communications Commission's (FCC) proposed U.S. Cyber Trust Mark (Mark) program.

Our organizations support the FCC's goal of establishing a voluntary program based on the technical criteria developed by the National Institute of Standards and Technology (NIST), under NISTIR 8425.

While significant operational details must still be determined before a program can launch, we are encouraged by the FCC's intention to work collaboratively with industry in a way that helps consumers make more informed buying choices while encouraging device makers to meet established cybersecurity standards.

As the FCC proceeds with the rulemaking process, we encourage the agency to consider the following principles:

- The program must remain voluntary and leverage existing NIST and industry processes and standards.
- The program must be distinct from equipment authorization processes, including no requirement to complete the certification or authorization process before qualifying for

the Mark.

- Achieving and maintaining the Mark should indicate that a product is equipped with “reasonable security” for purposes of liability protection.
- Allow participating manufacturers to self-attest with appropriate trust mechanisms that are based on meeting the NISTIR 8425 Criteria.
- Allow participating manufacturers to opt for third-party conformity assessment to attain the Mark through a process that is aligned with industry and international norms and based on NISTIR 8425.
- Encourage international alignment of cybersecurity labeling practices and mutual recognition agreements.
- A robust consumer education campaign led by the U.S. government is necessary to drive awareness and understanding of the Mark.
- The QR code and Mark design should be consumer friendly, follow industry best practices, and enable manufacturers maximum flexibility. A focus on e-labeling will reduce burdens on the program and its participants and ensure up-to-date information for consumers.

Ultimately, we believe the FCC’s success will require leveraging the expertise of the private sector along with the extensive work of NIST. We thank the Committee for holding today’s hearing and stand ready to work with you and the FCC in support of this critical public-private partnership.

Sincerely,

Association of Home Appliance Manufacturers (AHAM)
Connectivity Standards Alliance
Consumer Technology Association (CTA)
CTIA
Information Technology Industry Council (ITI)
National Electrical Manufacturers Association (NEMA)
Plumbing Manufacturers International
Power Tool Institute
Security Industry Association (SIA)
Telecommunications Industry Association (TIA)
U.S. Chamber of Commerce
USTelecom