

Congress of the United States
Washington, DC 20515

April 12, 2017

The Honorable Wilbur Ross
Secretary
U.S. Department of Commerce
Washington, D.C.

Dear Secretary Ross:

Thank you for taking swift and timely action in levying an unprecedented economic penalty against the Chinese state-sponsored firm, ZTE, immediately upon your confirmation as Secretary of Commerce. As you know, ZTE's criminal behavior dates back to 2012, and for several years, the previous administration took limited action on the matter.

Last year, in the documents released by the Commerce Department which were used to illustrate ZTE's malfeasance, a second company – referred to only as "F7" – appears several times and is cited by ZTE as an example of a rival company that successfully evaded American export control laws. News outlets reported that ZTE's internal description of F7 appears to match public descriptions of the Chinese government-affiliated firm, Huawei.

In April 2016, several Members of Congress wrote then-Secretary Pritzker requesting that the Commerce Department publicly identify F7. That letter is enclosed for your review.

Given that F7 appears to be implicated in similar export control-related violations, we respectfully request that you fully investigate the actions of F7 and provide our offices with an early update on the matter. We strongly support holding F7 accountable should the government conclude that unlawful behavior occurred.

Further, we request that you publicly identify F7. We must publicly identify those who break the law so that their activities be taken into account when public procurement activities occur or where critical infrastructure vulnerabilities might arise.

Thank you for considering our request, and we look forward to working with you to ensure that foreign government-sponsored firms respect American rule of law.

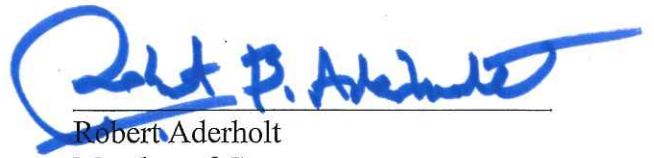
Sincerely,


Robert Pittenger
Member of Congress

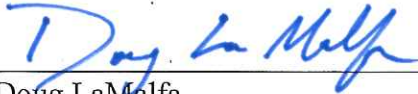

Mike Rogers
Member of Congress



Chris Smith
Member of Congress



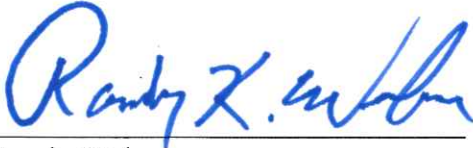
Robert Aderholt
Member of Congress



Doug LaMalfa
Member of Congress



Dana Rohrabacher
Member of Congress



Randy Weber
Member of Congress



Walter B. Jones
Member of Congress



Sam Johnson
Member of Congress



Brian Fitzpatrick
Member of Congress

Congress of the United States
Washington, DC 20515

April, 27, 2016

The Honorable Penny Pritzker
Secretary
United States Department of Commerce
Washington, D.C.

The Honorable Jack Lew
Secretary
United States Department of the Treasury
Washington, D.C.

The Honorable John Kerry
Secretary
United States Department of State
Washington, D.C.

Dear Secretary Pritzker, Secretary Lew, and Secretary Kerry:

The Commerce Department recently imposed trade sanctions on the Chinese state-influenced firm, ZTE Corporation, for violating export control laws which restricted the sale of technological goods to entities in Iran. Weeks later, however, it appears Commerce reached a deal with ZTE to temporarily suspend those sanctions as part of its investigation.

We are concerned that if ZTE is not ultimately punished for its reported misconduct, American export control laws and international efforts to promote human rights in Iran will be weakened.

The United States restricted the sale of certain information technology (IT) equipment to Iran in an effort to limit the government's abilities to oppress dissidents and restrict the free-flow of information. In 2012, it was reported that ZTE violated our export controls by selling embargoed equipment to the Telecommunications Company of Iran (TCI), a government-controlled entity, which would enable TCI to monitor and control all electronic communications within Iran. These allegations were recently confirmed by documents released by the Commerce Department during its investigation.

Despite this administration's recent efforts with the Iran nuclear deal, Iran has not made any significant progress with regard to human rights. A recent March 2016 report published by the United Nations Special Rapporteur on the situation of human rights in Iran highlighted many of the ongoing abuses being committed by the Iranian government. Specifically, the Iranian government continues to conduct "widening crackdowns" on freedom of expression and opinion, as well as promote the continued arrests and prosecution of religious minorities, women, journalists, and other dissidents¹.

We encourage the Commerce Department to continue its investigation of ZTE and impose penalties for any conduct found to violate American laws and regulations. Further, we strongly urge Commerce to reconsider its decision to temporarily remove ZTE from its Entity List. If

¹ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, U.N. Human Rights Council, March 10, 2016 found at http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf

evidence currently exists to implicate ZTE, we believe it is appropriate for Commerce to take immediate action and re-impose ZTE's standing on the Entity List.

Especially in light of recent Iranian provocation and aggression, America must send a strong message that we are committed to reversing its human rights abuses. Our government must hold accountable those who violate the law and enable such abuses through the sale of embargoed technologies to Iran.

Additionally, we respectfully request that you provide us information about the terms of your agreement with ZTE to temporarily lift restrictions.

Similar to ZTE, a number of Congressional offices wrote this administration in 2011 to raise concerns with respect to Huawei Technologies Company and possible export control violations.

In the documents released by the Commerce Department which were used to illustrate ZTE's malfeasance, an unidentified company, referred to only as "F7," appears a number of times and is cited by ZTE as an example of a rival company that successfully evaded American export controls. Several news outlets have reported that ZTE's internal description of F7 appears to match public descriptions of Huawei.

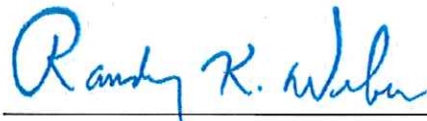
As you move forward with your investigation of ZTE, we urge you to publicly identify F7 and impose appropriate penalties on the company should you find evidence of wrongdoing.

Thank you for your consideration and for your continued diligence on this matter.

Sincerely,



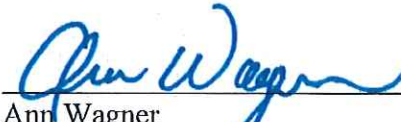
Robert Pittenger
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Randy Weber
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David Rouzer
Member of Congress



Ann Wagner
Member of Congress



Dana Rohrabacher
Member of Congress



Ryan Zinke
Member of Congress



Bill Posey
Member of Congress



Paul Cook
Member of Congress



Joseph Pitts
Member of Congress



Kenny Marchant
Member of Congress



Chris Smith
Member of Congress



Randy Hultgren
Member of Congress



Trent Franks
Member of Congress



Doug LaMalfa
Member of Congress



Cresent Hardy
Member of Congress



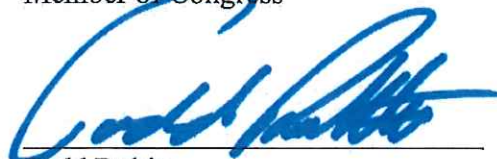
French Hill
Member of Congress



Sam Johnson
Member of Congress



Kevin Cramer
Member of Congress



Todd Rokita
Member of Congress



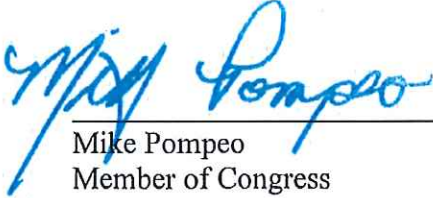
Gregg Harper
Member of Congress



Robert E. Latta
Member of Congress



Vicky Hartzler
Member of Congress



Mike Pompeo
Member of Congress