



United States Department of State
*Under Secretary for Economic Growth,
Energy, and the Environment*

Washington, D.C. 20520-7512

February 23, 2022

The Honorable Mrs. Jessica Rosenworcel
Chairwoman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairwoman Rosenworcel:

In light of the issuance of Executive Order (E.O.) 13913 “Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector” (April 4, 2020), the Department of State (the “Department”) has reviewed the procedures it applies to the Secretary of State’s consideration and approval, if appropriate, of submarine cable landing license applications filed with the Federal Communications Commission (FCC) pursuant to relevant provisions of the Cable Landing License Act, 47 U.S.C. §§ 34-39, and E.O. No. 10530, § 5(a) (May 10, 1954).

Following our review, the Department has decided to revise the approval process through which the Secretary of State approves the FCC’s grant or revocation of submarine cable license applications provided certain notification requirements were satisfied (described in a December 3, 2001, letter from the then Under Secretary of State for Economic, Business, and Agricultural Affairs to the then Chairman of the FCC) (the “2001 Policy”).

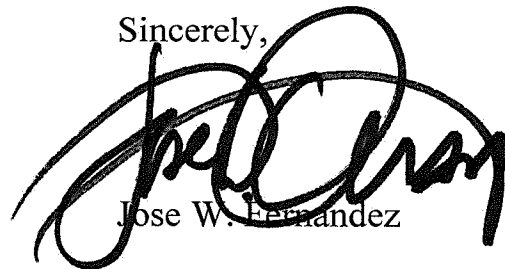
Under the revised policy, in the case of license applications that are referred by the FCC to the Department and, separately, to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (the “Committee”), the notification process instituted under the 2001 Policy will be shortened from thirty (30) to ten (10) calendar days and will not commence until the FCC has notified the Department, through the United States Coordinator for International Communications and Information Policy or other designated Department official (the “Coordinator”), of the Committee’s final recommendation

and the FCC's proposed final licensing decision including, if relevant, any proposed license conditions.

In addition, in the event the Coordinator determines that additional time is necessary for the Department to review any license applications referred by the FCC to the Department pursuant to E.O. 10530 (including those not referred to the Committee), the Coordinator will notify the FCC in writing of such determination. In those situations, neither the FCC nor the applicant may consider the grant of a license approved by the Secretary of State until the Coordinator has notified the FCC in writing that the Department has completed its review and that the Secretary of State does not have any objections to the FCC's licensing action.

This revised approval process is effective immediately and applies to all applications for such licenses on which the FCC has yet to take final action as of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose W. Hernandez", written over a printed name.

Jose W. Hernandez