

Media Contact:

Will Wiquist, (202) 418-0509 will.wiquist@fcc.gov

For Immediate Release

FCC IMPROVES TRANSPARENCY AND TIMELINESS OF FOREIGN OWNERSHIP REVIEW PROCESS

WASHINGTON, September 30, 2020—The Federal Communications Commission today adopted improvements to the transparency and timeliness of the cross-agency review process for applications from companies with foreign ownership seeking to participate in the U.S. telecommunications market. These changes formalize the long-standing review process—known informally as Team Telecom review—and establish firm timeframes for the Executive Branch agencies to complete their review of applications and petitions for declaratory ruling that the Commission refers to them. The changes to the FCC's rules and procedures adopted today are consistent with the President's April 4, 2020 Executive Order that established the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector.

The new rules and procedures adopted today stem from proposals in the Commission's June 2016 Notice of Proposed Rulemaking as well as actions taken in the Executive Order, and will provide greater certainty for applicants, facilitate beneficial foreign investment, support the provision of new services and infrastructure by U.S. authorization holders and licensees in a more timely manner, and provide for more effective review of applications and petitions that raise national security or law enforcement concerns.

The Report and Order directs the Commission to continue to refer to the Executive Branch Committee for review applications such as those to provide international telecommunications services, deploy submarine cable licenses, and transfer control of a license to a carrier with reportable foreign ownership—subject to certain exclusions. It requires parties to provide answers to a standardized set of national security and law enforcement questions directly to the Committee at the same time as the parties file their applications with the Commission. It also provides for a 120-day initial review period followed by a discretionary 90-day additional assessment. And it requires applicants to make particular certifications to help protect national security and law enforcement interests.

The new rules ensure that the Commission continues to receive the benefit of Executive Branch agency views as part of its public interest review of an application or petition. The new rules and procedures will also add transparency to the process while improving the ability of the Executive Branch agencies to expeditiously and efficiently review referred applications and petitions.

Action by the Commission September 30, 2020 by Report and Order (FCC 20-133). Chairman Pai, Commissioners O'Rielly, Carr, Rosenworcel, and Starks approving and issuing separate statements.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).