

**FCC FACT SHEET\***  
**Protecting Our Communications Networks**  
**by Promoting Transparency Regarding Foreign Adversary Control**  
Report and Order – GN Docket No. 25-166

**Background:** The Report and Order, if adopted, would take steps to address the risks of foreign adversary control of Commission-granted licenses and authorizations by requiring a broad range of holders of such licenses, authorizations, or approvals to attest whether they are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, and, if so, to disclose additional information about such foreign adversary control. The Report and Order would define categories of licenses and authorizations that are subject to the rules, and establish a streamlined process by which license and authorization holders should file their foreign adversary control attestations and disclosures.

**What the Report and Order Would Do:**

- Define the scope of the licenses, leases, authorizations, permits, grants, and other approvals subject to the Foreign Adversary Control reporting requirements by placing them into three Schedules of licenses (A, B, and C) based on a variety of factors including national security risk of Foreign Adversary Control and reporting burdens.
- Require holders of Schedule A Covered Authorizations to attest to the Commission whether they are or are not subject to Foreign Adversary Control, require holders of Schedule B Covered Authorizations that are subject to Foreign Adversary Control to attest to the Commission thereof, and exempt holders of Schedule C Covered Authorizations from filing Foreign Adversary Control attestations.
- Require all Covered Authorization holders attesting to Foreign Adversary Control to disclose additional information about such control including all 5% or greater direct or indirect equity and/or voting interests, and controlling interests held in the Regulatee; the identity of the foreign adversary or foreign adversary country or countries that control the Regulatee; and the nature of the Foreign Adversary Control to which the Regulatee is subject.
- Adopt ongoing reporting requirements with various deadlines triggered by a variety of conditions including new instances of Foreign Adversary Control, transactions involving the transfer or assignment of Covered Authorizations, and amendments to the list of foreign adversaries, among others.
- Establish a single, consolidated reporting system wherein all Regulatees with a reporting obligation would make their attestations and submit any further required information.
- Set a filing deadline for most Regulatees of 60 days after the adoption of a public notice announcing the launch of the consolidated reporting system, and provide an extended period of 120 days for small entities.
- Delegate to the Enforcement Bureau and the Licensing Bureaus and Offices the authority to take enforcement actions for rule violations, including revocations of Covered Authorizations, on a streamlined basis where consistent with applicable law.

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Protecting Our Communications Networks by ) GN Docket No. 25-166  
Promoting Transparency Regarding Foreign )  
Adversary Control )  
 )

REPORT AND ORDER\*

Adopted: [] Released: []  
By the Commission:

TABLE OF CONTENTS

Heading	Paragraph #
I. INTRODUCTION.....	1
II. BACKGROUND.....	3
III. DISCUSSION .....	14
A. Scope of the Information Collection.....	14
1. Definitions.....	15
2. Establishing a Risk-Based Framework of Schedules to Classify Covered Authorizations .....	23
3. Types of Licenses Required to Report .....	30
a. Wireless Services.....	30
b. Section 310(b) Declaratory Rulings.....	36
c. Satellite .....	37
d. Media .....	38
e. Submarine Cables .....	44
f. Telephone and Common Carrier.....	46
g. Other .....	52
B. Attestation and Disclosure Requirements .....	60
C. Implementation Considerations .....	72
1. Rule Updates .....	73
2. Method of Collection.....	74
3. Deadline .....	78

\* This document has been circulated for tentative consideration by the Commission at its January 29, 2026 open meeting. The issues referenced in this document and the Commission’s ultimate resolutions of those issues remain under consideration and subject to change. This document does not constitute any official action by the Commission. However, the Chairman has determined that, in the interest of promoting the public’s ability to understand the nature and scope of issues under consideration, the public interest would be served by making this document publicly available. The Commission’s *ex parte* rules apply and presentations are subject to “permit-but-disclose” *ex parte* rules. See, e.g., 47 CFR §§ 1.1206, 1.1200(a). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR §§ 1.1200(a), 1.1203.

4. Enforcement and Revocation .....	84
5. Publication of Data and Privacy Considerations .....	96
D. Cost-Benefit Considerations .....	97
IV. SEVERABILITY .....	101
V. PROCEDURAL MATTERS.....	102
VI. ORDERING CLAUSES.....	109
APPENDIX A—FINAL RULES	
APPENDIX B—FINAL REGULATORY FLEXIBILITY ANALYSIS	

## I. INTRODUCTION

1. To strengthen the security of U.S. communications networks, we adopt new attestation and disclosure requirements that will enhance our ability to assess and respond to emerging threats from foreign adversaries. We tailor these requirements to balance national security concerns against the burden on licensees, authorization holders, and other regulated entities subject to compliance. In today's *Report and Order*, we categorize licenses, authorizations, and other Commission approvals into groups, each subject to different attestation and disclosure requirements based on risk to national security of Foreign Adversary Control.<sup>1</sup> We then set forth the information to be collected for each group, method of collection, and, subject to statutory exceptions, a streamlined process for revocation for non-compliance. This framework builds on prior action taken to protect our communications networks and will provide the Commission with a more comprehensive and systematic view of threats posed by foreign adversaries.

2. We expect that this information will improve our situational awareness and allow the Commission to develop approaches to eliminate or mitigate national security threats from foreign adversaries. Transparency into whether and to what extent such foreign adversaries hold interests in Commission licensees, authorization holders, permit holders, and holders of other approvals will allow relevant stakeholders, including the public and the communications industry, as well as our law enforcement partners, to assess the national security risks associated with such foreign adversaries.

## II. BACKGROUND

3. U.S. communications networks face significant threats from foreign adversaries and entities with ties to foreign adversaries.<sup>2</sup> In recent years, such entities have engaged in widespread and coordinated efforts to exploit, attack, and otherwise compromise the integrity of communications networks. For example, in December 2024, a top U.S. security agency confirmed reports that state-sponsored Chinese foreign actors "infiltrated at least eight U.S. communications companies, compromising sensitive systems and exposing vulnerabilities in critical telecommunications infrastructure."<sup>3</sup> The risks of Foreign Adversary Control also extend to broadcasters and other entities that do not provide two-way communications services (such as some multichannel video programming distributors), both in terms of securing the equipment used to send emergency alerts<sup>4</sup> and influencing the distribution of programming.<sup>5</sup> Although specific risks to different types of licenses and authorizations

<sup>1</sup> See *infra* note 50.

<sup>2</sup> See 15 CFR §§ 791.2, 791.4.

<sup>3</sup> FCC, *Fact Sheet: Implications of Salt Typhoon Attack and FCC Response* (Dec. 5, 2024).

<sup>4</sup> *Public Safety and Homeland Security Bureau Reminds Broadcasters to Ensure They Comply with Best Practices to Prevent Cyberattacks*, Public Notice, DA 25-996 (Nov. 26, 2025).

<sup>5</sup> See *Sponsorship Identification Requirements for Foreign Gov't-Provided Programming*, Report and Order, 36 FCC Rcd 7702, 7734-35, para. 69 (2021), *subsequent history omitted* ("As discussed above and at length in the *NPRM*, the government has a compelling interest in ensuring that the public is aware of when a party has sponsored content on a broadcast station. We find that interest is even more important when a foreign governmental entity is involved in the sponsorship of the programming material, and that transparency to American audiences as to the sponsorship of such programming is a compelling interest."); *id.* at n.15 ("As set forth in the *NPRM*, complete and

(continued....)

may vary, we find generally that Foreign Adversary Control of entities that hold Commission licenses or authorizations could potentially raise significant national security risks by providing opportunities for foreign adversary governments to access, disrupt, and/or misroute U.S. communications, which in turn allows them to engage in espionage and other harmful activities against the United States. For example, misuse of broadcast or wireless equipment by foreign adversaries could result in public mayhem from false emergency alerts, public safety risks if emergency alerts were deliberately suppressed, or disruption of Presidential messages.<sup>6</sup>

4. The U.S. Government has undertaken multiple steps to mitigate threats to national security, through actions to safeguard military operations,<sup>7</sup> implement export controls and other supply

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accurate disclosure regarding the source of programming is critical to allowing audiences to determine the reliability and credibility of the information they receive.”); *Commission Policies and Procedures under Section 310(b)(4) of the Communications Act, Foreign Investment in Broadcast Licensees*, Declaratory Ruling, 28 FCC Rcd 16244, 16244, para. 2 (2013) (*Broadcasting Foreign Investment Declaratory Ruling*) (noting that the statutory foreign ownership limitations of 47 U.S.C. § 310(b) were meant to “thwart the airing of foreign propaganda on broadcast stations”); *id.* at 16245-46, para. 3 (“The Commission’s approach to the benchmark for foreign investments in broadcast licensees has reflected ‘heightened concern for foreign influence over or control of [broadcast] licensees which exercise editorial discretion over the content of their transmissions.’”); *Request for Declaratory Ruling Concerning the Citizenship Requirements of Section 310(b)(3) and (4) of the Communications Act of 1934, as amended*, Declaratory Ruling, 103 F.C.C.2d 511, 516-17 (1985) (*Section 310 Citizenship Requirements Declaratory Ruling*) (stating that “[s]ection 310(b) reflects the broader purpose of ‘safeguard[ing] the United States from foreign influence’ in the field of broadcasting”).

<sup>6</sup> See, e.g., Stefanie Schappert, *Hackers Hijack US Radio Stations, Listeners Subjected to “Obscene” Messages, Fake Alerts*, Cybernews (Nov. 26, 2025), <https://cybernews.com/security/us-radio-stations-hackers-play-obscene-messages-fake-emergency-alerts>; Leslie Stimson, *Next Fake EAS Alert Could Be More Malicious, Warns NAB*, Radioworld (Dec. 17, 2014), <https://www.radioworld.com/news-and-business/next-fake-eas-alert-could-be-more-malicious-warns-nab>; Adam Clark Estes, *Hacking the Emergency Alert System Is Funny Until It’s Not*, Atlantic (Feb. 11, 2013), <https://www.theatlantic.com/technology/2013/02/hacking-emergency-alert-system-funny-until-its-not/318467>; see also *Amendment of Part 11 of the Commission’s Rules Regarding the Emergency Alert System; Wireless Emergency Alerts; Protecting the Nation’s Communications Systems from Cybersecurity Threats*, PS Docket Nos. 15-94, 15-91, 22-329, Notice of Proposed Rulemaking, 37 FCC Rcd 12932, 12934-35, para. 4 (2022) (describing “several incidents that raise concerns about the security of the EAS”).

<sup>7</sup> See, e.g., National Defense Authorization Act for Fiscal Year 2016, Pub. L. No. 114-92, 129 Stat. 726, 1118 (2015) (FY2016 NDAA) (requiring war games to assess U.S. Cyber Command’s ability to counter cyber threats and large-scale attacks by foreign adversaries); John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232, 132 Stat. 1636, 1905 (2018) (FY2019 NDAA) (establishing restrictions on military engagement with certain foreign nations and enhancing cybersecurity in defense operations); Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat. 1182 (2020) (imposing limitations on funding military assistance to certain foreign governments); William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Pub. L. No. 116-283, 134 Stat. 3388 (2021) (FY2021 NDAA) (directing the Department of Defense to assess and refine cyber strategy for military operations and counter-campaigns); Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. 49, 1026 (2022) (analyzing gray zone military tactics, including cyber warfare, information operations, and unconventional military threats); James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, Pub. L. No. 117-263, 136 Stat. 2395, 2562 (2022) (FY2023 NDAA) (providing classified briefings on military cooperation between foreign governments and adversarial regimes, including involvement in unconventional warfare); 50 U.S.C. § 3369d (expanding the scope of the Committee to Counter Active Measures to address foreign military influence and adversarial operations); 10 U.S.C. § 394 (mandating a comprehensive list of countries of concern for military operations and national security strategy); *id.* § 989 (restricting employment of former military personnel with foreign governments or entities of concern); 31 CFR § 2.2(f) (outlining restrictions on military-related national security risks posed by foreign adversaries).

chain protections,<sup>8</sup> and improve cybersecurity and research security by restricting foreign adversarial access to sensitive data and emerging technologies.<sup>9</sup> For instance, the National Defense Authorization Act (NDAA) of 2018 prohibits the Department of Defense from entering into a satellite-related contract with a foreign entity if the Defense Secretary reasonably believes such entity is controlled by a foreign adversary.<sup>10</sup> Section 889 of the FY2019 NDAA enacted broader prohibitions against the federal government entering into or renewing contracts that include “covered equipment or services.”<sup>11</sup>

5. In May 2019, President Donald Trump issued Executive Order 13873, entitled “Securing the Information and Communications Technology and Services [ICTS] Supply Chain,” declaring a

<sup>8</sup> See, e.g., FY2019 NDAA, 132 Stat. at 1905 (implementing restrictions on defense-related supply chains and banned procurement from certain foreign sources); FY2021 NDAA, 134 Stat. at 3388 (assessing vulnerabilities in military and national security-related supply chains and identified countermeasures); CHIPS Act of 2022, Pub. L. No. 117-167, 136 Stat. 1366 (2022) (establishing a process for reviewing and restricting membership in U.S. manufacturing institutes by foreign entities to protect supply chain security); FY2023 NDAA, 136 Stat. at 2562 (analyzing foreign efforts to evade sanctions and restrictions on supply chains and trade flows); Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, 136 Stat. 4459 (2022) (requiring identification and assessment of supply chain risks posed by foreign agencies and affiliated entities); 10 U.S.C. § 394 (mandating an evaluation of supply chain risks linked to foreign countries of concern and their impact on national security); 15 U.S.C. § 4651 (defining foreign countries and entities of concern for supply chain security and restricted transactions with those entities); *id.* § 4652 (prohibiting certain supply chain transactions involving foreign adversaries for entities receiving federal financial assistance); 42 U.S.C. § 19040 (requiring disclosure of financial interests and supply chain dependencies involving foreign entities of concern); 50 U.S.C. § 4811 (imposing export controls on foreign adversaries to mitigate national security threats); *id.* § 4565 (regulating foreign investments and transactions involving critical industries); 41 U.S.C. § 4713 (granting executive agencies authority to mitigate supply chain risks in procurement, particularly related to adversarial nations); 49 U.S.C. § 20171 (restricting the use of foreign-manufactured components in U.S. railroad freight cars for national security reasons); 10 U.S.C. § 4872(d)(2) (restricting acquisition of sensitive materials for “covered nations”); *id.* § 4875(d)(2) (same for personal protective equipment and other items); 42 U.S.C. § 18741(a)(5)(C) (limiting battery processing and manufacturing tax credits to entities under the control of countries of concern); *id.* § 18743(a)(5)(C) (same for critical minerals mining and recycling research tax credits); *id.* § 19221(a)(2)(C) (requiring the role of “foreign countr[ies] of concern” to be included in a report on the nation’s economic security, science, research, and innovation to support the national security strategy).

<sup>9</sup> See, e.g., FY2021 NDAA, 134 Stat. at 3751-53 (Department of Defense cybersecurity strategy review); FY2022 NDAA, 136 Stat. at 1026 (foreign cyber and disinformation tactics); FY2023 NDAA, 136 Stat. at 2562 (foreign adversary cybersecurity threats); 6 U.S.C. § 188 (defining “countries of concern” for research); 10 U.S.C. § 394 (cybersecurity risk assessment); 15 CFR § 7.4 (2024) (designating foreign cyber threats); 28 CFR § 202.209 (defining “country of concern” for data security); 31 CFR § 2.2(f) (foreign entities in cyber intrusions); 42 U.S.C. § 18743 (limiting foreign participation in research); *id.* § 18912 (restricting funding to adversarial entities); *id.* § 19040 (disclosure of foreign collaborations); *id.* § 19221 (defining “foreign entities of concern”); *id.* § 6627 (banning research on pandemic pathogens abroad); 50 U.S.C. § 2367 (foreign cyber threat reporting); *id.* § 3241 (intelligence reports on biological threats); *id.* § 4811 (export controls on cybersecurity technology); Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. 118-50, div. H, § 2(g)(2), 138 Stat. 895, 959 (2024) (codified at 15 U.S.C. § 9901) (restricting the ability of certain entities controlled by foreign adversaries to operate social media companies in the U.S.); Protecting Americans’ Data from Foreign Adversaries Act of 2024, Pub. L. 118-50, div. I, § 2(c)(4), 138 Stat. 895, 961 (2024) (codified at 15 U.S.C. § 9901(c)(2)) (restricting transfer of personally identifiable sensitive data on U.S. persons to foreign adversaries).

<sup>10</sup> See National Defense Authorization Act for Fiscal Year 2018, Pub. L. 115-91, 131 Stat. 1283, 1722 § 1603 (2017) (amending 10 U.S.C. § 2279(a)) (FY2018 NDAA); 10 U.S.C. § 2279(f)(1) (defining “covered foreign country” to mean (A) “[a] country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2019)” (namely, the People’s Republic of China, North Korea, and any country that is a state sponsor of terrorism), and (B) the Russian Federation).

<sup>11</sup> FY2019 NDAA, 132 Stat. at 1917 § 889(a)(1)(A)-(B); see *id.* at 1918 § 889(f)(2) (defining “covered foreign country” to mean the People’s Republic of China).

national emergency in response to the “unusual and extraordinary” threat posed by our foreign adversaries exploiting vulnerabilities in the ICTS supply chain, and prohibiting U.S. persons from engaging in certain ICTS transactions with foreign adversaries.<sup>12</sup> In March 2020, the Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act) was enacted, which among other things, mandates that the Commission publish and maintain a list of communications equipment and services (the Covered List) that agencies with national security responsibilities have determined pose an unacceptable risk to the national security of the United States or the security of U.S. persons.<sup>13</sup> The Secure Networks Act was followed by the Secure Equipment Act of 2021, which directs the Commission not to review or approve any equipment authorization application for equipment that is on the Covered List.<sup>14</sup>

6. In February 2025, President Trump issued a memorandum announcing the America First Investment Policy which, among other things, states that “[e]conomic security is national security,” discusses the need to limit certain investments in strategic sectors by the six foreign adversaries named above.<sup>15</sup> The March 2025 Annual Threat Assessment of the U.S. Intelligence Community also identifies foreign adversaries as cyberthreats to critical infrastructure.<sup>16</sup> Federal agencies have also issued warnings concerning attacks and infiltration of U.S. communications networks by various of these foreign adversaries.<sup>17</sup>

7. Congress has also taken initial legislative steps to address the risks of foreign adversary ownership or control of entities holding licenses and authorizations granted by the Commission. Late last year, the U.S. House of Representatives passed the Foreign Adversary Communications Transparency (FACT) Act and the U.S. Senate passed the companion version of the legislation.<sup>18</sup> The FACT Act would direct the Commission to publish and maintain a list of entities that hold a license issued by the Commission and (1) in which a covered entity holds an equity or voting interest that is required to be reported to the Commission under the Commission’s ownership rules, or (2) that are controlled by a

<sup>12</sup> Exec. Order No. 13,873, 84 Fed. Reg. 22689 (May 15, 2019); *see also id.* at § 2(b) (“Rules and regulations issued pursuant to this order may, among other things, determine that particular countries or persons are foreign adversaries for the purposes of this order”); *see id.* at § 3(b) (defining the term “foreign adversary” to mean “any foreign government or foreign non-government person engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons”).

<sup>13</sup> Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1601–1609) (Secure Networks Act).

<sup>14</sup> Secure Equipment Act of 2021, Pub. L. No. 117-55, 133 Stat. 423 (2021).

<sup>15</sup> Memorandum on America First Investment Policy, 2025 Daily Comp. Pres. Doc. 292 § 4 (Feb. 21, 2025) (*America First Investment Policy Memo*) (“Certain foreign adversaries, including . . . China . . . , systematically direct and facilitate investment in United States companies and assets to obtain cutting-edge technologies, intellectual property, and leverage in strategic industries.”); 15 CFR § 791.4.

<sup>16</sup> Office of the Director of National Intelligence, Annual Threat Assessment of the U.S. Intelligence Community at 11 (2025), <https://www.dni.gov/files/ODNI/documents/assessments/ATA-2025-Unclassified-Report.pdf>. The Threat Assessment identifies China as “the most active and persistent cyber threat to U.S. government, private-sector, and critical infrastructure networks.” *Id.* It also emphasizes China’s “campaign to preposition access on critical infrastructure for attacks during crisis or conflict, tracked publicly as Volt Typhoon, and its more recently identified compromise of U.S. telecommunications infrastructure, . . . referred to as Salt Typhoon.” *Id.*

<sup>17</sup> *See* CISA, *Russian Military Cyber Actors Target U.S. and Global Critical Infrastructure* (Sep. 5, 2024), <https://www.cisa.gov/sites/default/files/2024-09/aa24-249a-russian-military-cyber-actors-target-us-and-global-critical-infrastructure.pdf>; CISA, *IRGC-Affiliated Cyber Actors Exploit PLCs in Multiple Sectors, Including US Water and Wastewater Systems Facilities* (Dec. 18, 2024), <https://www.cisa.gov/sites/default/files/2024-12/aa23-335a-irgc-affiliated-cyber-actors-exploit-plcs-in-multiple-sectors.pdf>; 15 CFR § 791.4.

<sup>18</sup> *See* Foreign Adversary Communications Transparency Act, H.R. 906, 119th Cong. § 2(a) (2025) (H.R. 906); Foreign Adversary Communications Transparency Act, S. 259, 119th Cong. § 2(b) (2025) (S. 259; received in the House).

covered entity as determined by an appropriate national security agency.<sup>19</sup> For purposes of this legislation, covered entities would include: (1) the government of North Korea, China, Russia, or Iran; (2) entities organized under the laws of those countries; and (3) subsidiaries of those entities.<sup>20</sup>

8. As part of the Commission's continuing efforts to promote national security and support law enforcement, the Commission has taken action under its existing authorities to address the present and persistent threat that foreign adversaries pose from within the nation's communications networks to the extent that they act through surrogate companies that they "own or control" and that hold licenses, authorizations, and other permissions granted by the Commission.<sup>21</sup> The attestation and disclosure requirements adopted in this *Report and Order* are the latest of several actions taken to protect U.S. communications networks and supply chains from threats posed by entities with ties to foreign adversaries. Previously, the Commission denied an application for international section 214 authority<sup>22</sup> and revoked, and in certain cases terminated for failure to satisfy conditions, the domestic and international section 214 authority of carriers ultimately majority-owned and controlled by the Chinese government.<sup>23</sup> In these actions, the Commission found that these entities are subject to exploitation, influence, and control by the Chinese government, and that mitigation would not address the national security and law enforcement concerns.<sup>24</sup> In addition, the Commission has maintained and published the

<sup>19</sup> H.R. 906, § 2(a), (e); S. 259, § 2(a), (b).

<sup>20</sup> H.R. 906, § 2(e)(3)-(4) (defining the term "covered entity" to include "the government of a covered country," and defining the term "covered country" to signify a country specified in 10 U.S.C. § 4872(f)(2)); S. 259, § 2(a)(3)-(4) (defining the term "covered entity" to include "the government of a covered country," and defining the term "covered country" to signify a country specified in 10 U.S.C. § 4872(f)(2)); *see* 10 U.S.C. § 4872(f)(2).

<sup>21</sup> Two of the key responsibilities of the Commission, as outlined in section 1 of the Communications Act of 1934, as amended (the Act), are "national defense" and "promoting the safety of life and property through the use of wire and radio communication." 47 U.S.C. § 151. Section 310(a) of the Act prohibits any radio license from being granted to or held by any foreign government or a representative thereof. *See id.* § 310(a). Section 310(b) of the Act restricts the extent to which foreign governments, entities, and individuals may hold ownership interests in any broadcast, common carrier, or aeronautical en route or aeronautical fixed radio station license, including through ownership of U.S. corporations. *See id.* § 310(b).

<sup>22</sup> *China Mobile International (USA) Inc.; Application for Global Facilities-Based and Global Resale International Telecommunications Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended*, File No. ITC-214-20110901-00289, Memorandum Opinion and Order, 34 FCC Rcd 3361-62, 3365-66, 3376-77, 3380, paras. 1, 6, 8, 31-33, 38 (2019) (*China Mobile USA Order*).

<sup>23</sup> *See China Telecom (Americas) Corporation*, GN Docket No. 20-109, File Nos. ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Order on Revocation and Termination, 36 FCC Rcd 15966, 15966-68, 15974, 15992-16030, paras. 1-3, 9, 44-99 (2021) (*China Telecom Americas Revocation Order*), *aff'd*, *China Telecom (Americas) Corp. v. FCC*, 57 F.4th 256 (D.C. Cir. 2022); *China Unicom (Americas) Operations Limited*, GN Docket No. 20-110, File Nos. ITC-214-20020728-00361, ITC-214-20020724-00427, Order on Revocation, 37 FCC Rcd 1480, 1480-81, 1489-90, 1508-55, paras. 1-3, 16, 49-110 (2022) (*China Unicom Americas Revocation Order*), *aff'd*, *China Unicom (Americas) Operations Ltd. v. FCC*, 124 F.4th 1128 (9th Cir. 2024); *Pacific Networks Corp. and ComNet (USA) LLC*, GN Docket No. 20-111, File Nos. ITC-214-20090105-00006, ITC-214-20090424-00199, Order on Revocation and Termination, 37 FCC Rcd 4220, 4220-22, 4232-33, 4251-4314, paras. 1-3, 14, 44-113 (2022) (*Pacific Networks/ComNet Revocation Order*), *aff'd*, *Pac. Networks Corp. v. FCC*, 77 F.4th 1160 (D.C. Cir. 2023).

<sup>24</sup> In the *China Telecom Americas Revocation Order*, *China Unicom Americas Revocation Order*, and *Pacific Networks/ComNet Revocation Order*, the Commission also found that the significant national security and law enforcement risks associated with those entities' retention of their section 214 authority "pose a clear and imminent threat to the security of the United States," including "numerous opportunities to access, monitor, store, disrupt, and/or misroute U.S. communications in ways that are not authorized and that can facilitate espionage and other activities harmful to U.S. national security and law enforcement interests." *See China Telecom Americas Revocation Order*, 36 FCC Rcd at 16008, para. 65; *China Unicom Americas Revocation Order*, 37 FCC Rcd at 1530, para. 74; *Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4287, para. 74. The Commission found,

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Covered List pursuant to the Secure Networks Act, and revised its equipment authorization program to prohibit authorization of equipment identified on the Covered List as posing an unacceptable risk to national security of the United States or the security or safety of U.S. persons and generally prohibited the marketing and importation of such equipment in the United States.<sup>25</sup>

9. The Commission has also taken action to obtain additional information regarding foreign adversary ownership of select Commission authorizations. The *Evolving Risks Order* required, in part, that all international section 214 authorization holders respond to a one-time information collection to update the Commission's records regarding their foreign ownership, including foreign adversary ownership, given the Commission had incomplete and outdated information.<sup>26</sup> The Commission stated that this information would assist the Commission in developing a timely and effective process for prioritizing the review of international section 214 authorizations that are most likely to raise national security, law enforcement, foreign policy, or trade policy concerns.<sup>27</sup> In 2023, the Commission adopted rules requiring interconnected Voice over Internet Protocol (VoIP) applicants for direct access authorizations to disclose foreign ownership information.<sup>28</sup> While the rules adopted in 2023 only applied to new applicants, the Commission recently updated the rules to apply the same public safety and national security disclosure requirements to direct access authorization holders whose authorizations predate the adoption of the 2023 rules.<sup>29</sup>

10. The Commission has accelerated actions to protect national security under the leadership of the Chairman's Council on National Security, which serves to leverage the full range of the Commission's regulatory, investigatory, and enforcement authorities in order to promote U.S. national security and counter the threats posed by our foreign adversaries.<sup>30</sup> In May 2025, the Commission

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among other things, that "the record raises serious and unacceptable concerns that the Chinese government can, for example, direct or otherwise influence" those entities "to act on opportunities presented by their access to U.S. telecommunications infrastructure and U.S. customer information." *China Telecom Americas Revocation Order*, 36 FCC Rcd at 16008, para. 65; *China Unicom Americas Revocation Order*, 37 FCC Rcd at 1530, para. 74; *Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4287, para. 74.

<sup>25</sup> See *Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program et al.*, ET Docket No. 21-232 et al., Report and Order, Order, and Further Notice of Proposed Rulemaking, 37 FCC Rcd 13493 (2022) (*Equipment Authorization Security Order* or *Equipment Authorization Security Order Further Notice*) (establishing the Covered List). This action was initiated on the Commission's independent regulatory authority but was later mandated by the Secure Equipment Act of 2021. Secure Equipment Act of 2021, Pub. L. No. 117-55, 135 Stat. 423 (codified at 47 U.S.C. § 1601).

<sup>26</sup> *Review of International Section 214 Authorizations to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks et al.*; *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules*, IB Docket No. 23-119, MD Docket No. 23-134, Order and Notice of Proposed Rulemaking, 38 FCC Rcd 4346, 4359-62, paras. 1, 16-23 (2023) (*Evolving Risks Order* or *Evolving Risks Notice*); see *id.* at 4361, para. 20.

<sup>27</sup> *Id.* at 4359, para. 16.

<sup>28</sup> See *Numbering Policies for Modern Communications et al.*, WC Docket Nos. 13-97 et al., Second Report and Order and Second Further Notice of Proposed Rulemaking, 38 FCC Rcd 8951 (2023) (*VoIP Direct Access Second Report and Order* and *Second Further Notice*). The Commission concluded that the disclosure requirements were necessary because "[a]llowing [VoIP providers with foreign ownership or control] direct access to numbers and critical numbering databases raises . . . potential national security and law enforcement risks with access to U.S. telecommunications network operations." *Id.* at 8963, para. 19.

<sup>29</sup> See *Numbering Policies for Modern Communications et al.*, WC Docket No. 13-97 et al., Third Report and Order and Third Further Notice of Proposed Rulemaking, FCC 25-86 (Dec. 19, 2025) (*VoIP Direct Access Third Report and Order* or *VoIP Direct Access Third Further Notice*).

<sup>30</sup> Press Release, FCC, Chairman Carr Establishes New Council on National Security Within Agency (Mar. 13, 2025), <https://docs.fcc.gov/public/attachments/DOC-410155A1.pdf>.



adopted rules to help ensure that the telecommunications certification bodies (TCBs), measurement facilities (test labs), and laboratory accreditation bodies that participate in our equipment authorization program are not subject to ownership, direction, or control by untrustworthy actors that pose a risk to national security, including entities listed as foreign adversaries by the Executive Branch, including China.<sup>31</sup> In September 2025, we began proceedings to withdraw recognition of these “bad labs.”<sup>32</sup> We are investigating the continued U.S. operations of Chinese Communist Party (CCP)-aligned businesses whose equipment or services are on the Covered List.<sup>33</sup>

11. In August 2025, the Commission took action to protect the security, integrity, and resilience of submarine cable systems by targeting foreign adversary threats to this critical U.S. communications infrastructure.<sup>34</sup> The *Submarine Cable Report and Order* adopted a presumption that a foreign adversary applicant is not qualified to hold a cable landing license unless the applicant overcomes the adverse presumption.<sup>35</sup> We adopted a condition prohibiting cable landing licensees from entering into a new, or extending an existing, arrangement for Indefeasible Rights of Use (IRU) or leases for capacity where such arrangements would give a foreign adversary entity the ability to install, own, or manage Submarine Line Terminal Equipment (SLTE) on a submarine cable landing in the United States.<sup>36</sup> In the *Submarine Cable Further Notice*, we proposed to build upon these efforts to prevent national security risks from current and potential foreign adversaries, while encouraging the use of trusted technology and measures to further accelerate the buildout of submarine cables.<sup>37</sup> For example, we sought comment on whether to require an applicant to certify, as a condition of the potential grant of an application, that it will not use any equipment in the operation of the submarine cable system that is produced by a foreign adversary entity<sup>38</sup> and proposed to adopt a routine condition prohibiting the use of certain third-party

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<sup>31</sup> See generally *Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program*, ET Docket No. 24-136, Report and Order and Further Notice of Proposed Rulemaking, 40 FCC Rcd 3616 (2025) (*Equipment Authorization Integrity Order* or *Equipment Authorization Integrity Further Notice*).

<sup>32</sup> *Equipment Authorization Integrity Order and Further Notice*; see Press Release, FCC, FCC Takes Action on “Bad Labs” Apparently Controlled By China (Sept. 8, 2025), <https://docs.fcc.gov/public/attachments/DOC-414369A1.pdf>; Press Release, FCC Denies Second Batch of “Bad Labs” Controlled By China (Sept. 26, 2025), <https://docs.fcc.gov/public/attachments/DOC-414863A1.pdf>.

<sup>33</sup> Press Release, FCC, Carr Announces Sweeping New Investigation into CCP-Aligned Entities (Mar. 21, 2025), <https://docs.fcc.gov/public/attachments/DOC-410318A1.pdf>.

<sup>34</sup> See generally *Review of Submarine Cable Landing License Rules and Procedures to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks; Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission’s Rules*, OI Docket No. 24-523 and MD Docket No. 24-524, Report and Order and Further Notice of Proposed Rulemaking, FCC 25-49, 2025 WL 2377719 (Aug. 13, 2025) (*Submarine Cable Report and Order* or *Submarine Cable Further Notice*).

<sup>35</sup> *Id.* at \*13-14, paras. 30-31; *id.* at \*4, para. 4 (“Specifically, we adopt a presumption that will preclude the grant of applications filed by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; any entity identified on the Commission’s “Covered List”; and/or any entity whose authorization, license, or other Commission approval, whether or not related to operation of a submarine cable, was denied or revoked and/or terminated or is denied or revoked and/or terminated in the future on national security and law enforcement grounds, as well as the current and future affiliates or subsidiaries of any such entity.”).

<sup>36</sup> *Id.* at \*4, para. 4. We also adopted rules requiring applicants to certify that they have created and will implement and update a cybersecurity and physical security risk management plan, and that they comply with Covered List requirements. *Id.* at \*41-52, paras. 102, 105-135.

<sup>37</sup> *Id.* at \*5, para. 8.

<sup>38</sup> *Submarine Cable Further Notice* at \*93, para. 263.

service providers, including foreign adversary entities.<sup>39</sup>

12. In October 2025, we addressed security vulnerabilities in electronic equipment marketed in the United States by closing two potential loopholes in our equipment authorization program and proposing to extend our equipment security rules to a larger class of foreign adversary-controlled devices.<sup>40</sup> The Office of International Affairs, Wireline Competition Bureau, and Enforcement Bureau issued an Order to Show Cause directing HKT (International) Limited (HKT) and its wholly owned subsidiaries to demonstrate why the Commission should not initiate a proceeding to revoke their domestic section 214 authority and revoke and terminate HKT's international section 214 authority.<sup>41</sup> Also, the Public Safety and Homeland Security Bureau, in coordination with the Chairman's Council on National Security, released a *National Security Advisory* reiterating that communications equipment and services on the Covered List have been determined to pose unacceptable risks to the national security of the United States and its citizens.<sup>42</sup> Most of the equipment and services identified in the *National Security Advisory* are closely tied to foreign adversaries.<sup>43</sup>

13. Today's action builds upon these efforts—and prior steps in this proceeding—to safeguard America's networks and promote national security. In May 2025, the Commission adopted the *Foreign Adversary Control Notice of Proposed Rulemaking (Notice)* that proposed collecting information to “fill gaps in the Commission's existing rules and give the Commission, and the public, a new and comprehensive view of threats from foreign adversaries in the communications sector.”<sup>44</sup> The *Notice* proposed to apply reporting “requirements on entities holding every type of license, permit, or authorization” and sought comment on the “scope, requirements, and implementation of the . . . information collection.”<sup>45</sup> In this *Report and Order*, we adopt the proposals set out in the *Notice*, with modifications discussed herein, and pursuant to the legal authorities discussed in the *Notice*,<sup>46</sup> which generally were not challenged in the record except as discussed herein.

### III. DISCUSSION

#### A. Scope of the Information Collection

14. In this section, we set forth the scope of licenses, leases, authorizations, permits, grants, and other approvals subject to the attestation and disclosure requirements (reporting requirements) we adopt in this *Report and Order*. For the purposes of regulatory consistency, we use the Commission's preexisting definitions of an individual or entity “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,”<sup>47</sup> “foreign adversary,”<sup>48</sup> and “foreign adversary country”<sup>49</sup> to govern the

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<sup>39</sup> *Id.* at \*94, para. 265.

<sup>40</sup> Press Release, FCC, FCC Approves New Safeguards Against Untrustworthy Gear (Oct. 28, 2025), <https://docs.fcc.gov/public/attachments/DOC-415131A1.pdf>;

<sup>41</sup> *HKT (International) Limited et al.*, GN Docket No. 25-308 et al., Order to Show Cause, DA 25-928 (OIA, WCB, EB Oct. 15, 2025).

<sup>42</sup> *Reminder: Communications Equipment and Services on the Covered List Pose an Unacceptable Risk to National Security*, WC Docket No. 18-89 et al., Public Notice and National Security Advisory No. 2025-01, 40 FCC Rcd 3730, 3731, para. 1 (PSHSB Oct. 14, 2025).

<sup>43</sup> *Id.*

<sup>44</sup> *Protecting our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control*, GN Docket No. 25-166, Notice of Proposed Rulemaking, 40 FCC Rcd 3730, 3731, para. 1 (2025) (*Foreign Adversary Control Notice*).

<sup>45</sup> *Id.*

<sup>46</sup> See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3760-66, paras. 72-85.

<sup>47</sup> 47 CFR § 1.70001(g).

scope of individuals and entities which are subject to our Foreign Adversary Control rules.<sup>50</sup> We then define three categories of licenses, leases, authorizations, permits, grants, and other Commission approvals (hereafter, Covered Authorizations)—Schedules A, B, and C—which apply different attestation requirements under our Foreign Adversary Control rules. Finally, we place each Covered Authorization into one or more of these Schedules, weighing various factors including national security risk of Foreign Adversary Control, public interest in transparency, and administrability.

### 1. Definitions

15. *Owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.* For the purposes of our Foreign Adversary Control attestation and disclosure requirements, we use the definition of “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” that was adopted by the Commission in the *Submarine Cable Report and Order*.<sup>51</sup> As explained in the *Submarine Cable Report and Order*, the Commission adopted this definition consistent with the Department of Commerce’s rule, 15 CFR § 791.2, with certain narrow modifications.<sup>52</sup> Specifically, pursuant to section 1.7001(g) of our rules, the term “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” applies to:

- (1) Any individual or entity, wherever located, who acts as an agent, representative, or employee, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign adversary or of an individual or entity whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in majority part by a foreign adversary;
- (2) Any individual, wherever located, who is a citizen of a foreign adversary or a country controlled by a foreign adversary, and is not a United States citizen or permanent resident of the United States;
- (3) Any entity, including a corporation, partnership, association, or other organization, that has a principal place of business in, or is headquartered in, incorporated in, or otherwise organized under the laws of a foreign adversary or a country controlled by a foreign adversary; or
- (4) Any entity, including a corporation, partnership, association, or other organization, wherever organized or doing business, that is owned or controlled by a foreign adversary, to include circumstances in which any person identified in paragraphs (1) through (3) of this section possesses the power, direct or indirect, whether or not exercised, through the ownership of a majority or a dominant minority (10% or greater) of the total outstanding voting interest and/or equity interest, or through a controlling interest, in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide important matters affecting an entity.<sup>53</sup>

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<sup>48</sup> *Id.* § 1.70001(e).

<sup>49</sup> *Id.* § 1.70001(f).

<sup>50</sup> In this *Report and Order*, we use the term “Foreign Adversary Control” to refer to the term “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” as defined by the Commission. *See id.*

<sup>51</sup> *See Foreign Adversary Control Notice*, 40 FCC Rcd at 3737-38, para. 15; *Submarine Cable Report and Order* at \*10-11, para. 23; *see also id.* at \*12-13, paras. 28-29; 47 CFR § 1.70001(g); *see also* 15 CFR § 791.2.

<sup>52</sup> *Submarine Cable Report and Order* at \*10-13, paras. 23-29; *see* 15 CFR § 791.2.

<sup>53</sup> 47 CFR § 1.70001(g); *Submarine Cable Report and Order* at \*10-11, para. 23; *see also id.* at \*16-17, para. 29 & n.77. In determining whether a foreign adversary “possesses the power . . . to determine, direct, or decide important matters affecting an entity,” we refer to the factors indicative of control found in section 63.24, note 1 to paragraph

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16. We find that cross-referencing the Commission's preexisting definition of this term, which incorporates the Department of Commerce's definition in 15 CFR § 791.2, promotes regulatory consistency not only across Commission rules but also across other Federal agencies implementing Executive Order 13873.<sup>54</sup> We also find that the inclusion of equity and controlling interests in our preexisting definition is applicable here and supports the national security goals of this proceeding by capturing all mechanisms of Foreign Adversary Control,<sup>55</sup> and that applying a dominant minority threshold of 10% promotes consistency with other Commission rules.<sup>56</sup> As the Commission noted in the

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(d), of our rules. See 47 CFR § 63.24, Note 1 to paragraph (d); see also, e.g., *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3651-52, para. 75 ("Factors indicating direction or control could include the power to decide matters pertaining to the entity's reorganization, merger, or dissolution; the opening or closing of facilities or major expenditures or to exercise authority over its operating budget; selection of new lines of business; entering into, terminating, or otherwise affecting the fulfillment of significant contracts; adopting policies relating to treatment of non-public or proprietary information; appointing officers or senior leadership; appointing or dismissing employees with access to critical or sensitive technology; or amending the entity's organizational documents. Such indicators would be relevant regardless of whether the power was exercised, and could take the form of, for example, ownership of securities or partnership or other ownership interests, board representation, holding a special share, contractual arrangements, or other formal or informal arrangements to act in concert or to decide important matters affecting an entity." (citing 31 CFR § 800.208; 15 CFR § 791.2; 47 CFR § 1.2110(c)(2)(i)); *Intermountain Microwave*, 24 Rad. Reg. (P&F) 983 (1963) (setting forth six factors indicative of control); *WGPR, Inc.*, 10 FCC Rcd 8140, 8142 (1995); *Stereo Broadcasters, Inc. Station WLIR (FM), Garden City, N.Y. for Renewal of Broadcast License*, Memorandum Opinion and Order, 55 F.C.C.2d 819, 821-22 (1975) (discussing the broadcast control standard). As we stated in the *Submarine Cable Report and Order*, we note that, while we include factors indicative of control in our definition of "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary," a determination of control is not limited to these factors. See *Submarine Cable Report and Order* at \*12, para. 27. The Commission will consider the totality of the circumstances reflected in the record. *Id.*

<sup>54</sup> See Exec. Order 13,873, 84 Fed. Reg. at 22689 (setting forth that "foreign adversaries are increasingly creating and exploiting vulnerabilities in information and communications technology and services" and prescribing, among other things, that "[r]ules and regulations issued pursuant to this order may, among other things, determine that particular countries or persons are foreign adversaries for the purposes of this order; identify persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries for the purposes of this order . . ."); see also *Submarine Cable Report and Order* at \*11 & n.57 (explaining how other agencies have adopted a similar approach); *id.* at \*10-11, para. 23 (adopting definition of "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary"); *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155, Report and Order, 35 FCC Rcd 10927, 10938, para. 28 (2020) (*Executive Branch Process Reform Order*) (stating that, subject to certain exceptions, the Commission will continue to refer to the Executive Branch agencies international section 214 applications and submarine cable applications with a 10% or greater direct or indirect owner that is not a U.S. citizen or U.S. business entity).

<sup>55</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3738-39, paras. 15-16. We note that, rather than proposing to adopt a definition that differs in language from the Department of Commerce's definition in 15 CFR § 791.2, the *Notice* proposed to interpret "that is owned . . . by a foreign adversary" in subpart (4) of that definition to include both equity and voting interests and to interpret "dominant minority" to mean a minimum of 10% interest. *Foreign Adversary Control Notice*, 40 FCC Rcd at 3739, para. 16. Given the Commission has adopted a definition of "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary" that incorporates these clarifications within the text and is thus aligned with the interpretation proposed in the *Notice*, we find that cross-referencing section 1.70001(g) for purposes of implementing the Foreign Adversary Control rules will have the same effect as our original proposal while simplifying administrability of the new rules. See 47 CFR § 1.70001(g).

<sup>56</sup> See, e.g., 47 CFR §§ 1.767(a)(8)(i), 63.18(h)(1); *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3648-50, paras. 66-73. The National Association of Broadcasters (NAB) notes that the 10% dominant minority threshold for voting and equity interests differs from the 5% threshold applied to broadcast licensees under the broadcast attribution rules. See The National Association of Broadcasters Comments at 11-16 (NAB); 47 CFR § 73.3555 Note 2a. First, NAB argues that we should *raise* the 10% threshold to a level that it considers to be "controlling," yet does not suggest a specific percentage. See NAB Comments at 11. Second, NAB argues that, for broadcast licensees, we should instead match the *lower* threshold of 5% voting interests to which broadcasters are already

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*Submarine Cable Report and Order*, an individual or entity may exert direction or control, or significant influence, over a subject entity even without holding a majority of the equity and/or voting interests, and ownership interests as low as five and ten percent are relevant to protecting national security by identifying foreign adversary involvement in a licensee.<sup>57</sup> We adopt a rebuttable presumption that a foreign adversary holding a 10% interest confers the ability to “determine, direct, or decide important matters affecting an entity”<sup>58</sup> and that the entity with such an interest is required to respond affirmatively, where applicable, to the attestation and reporting requirements adopted herein.

17. Commenters largely support our adoption of this definition.<sup>59</sup> As the Foundation for Defense of Democracies (FDD) notes, our expansion beyond mere ownership will “stymie [foreign adversaries’] efforts to use . . . regulatory and legal architecture to coerce nominally independent firms into furthering the [adversary’s] geopolitical ambitions.”<sup>60</sup> FDD further adds that a foreign adversary may “use[] a range of corporate governance structures, including ‘golden shares,’ shell companies, and other intermediaries, to obscure its control over nominally commercial ventures.”<sup>61</sup> We agree with FDD that, by adopting this expanded definition of Foreign Adversary Control, the Commission “will effectively capture these dynamics within the regulatory process.”<sup>62</sup>

18. We disagree with the Information Technology Industry Council’s (ITI) contention that the definition is “overly broad and lacks sufficient clarity to be reliably implemented in the communications sector.”<sup>63</sup> While ITI agrees that “control may also be exercised through other vectors,” it

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subject under the broadcast attribution rules, for the sake of reducing burdens. *See id.* at 12. While we understand NAB’s desire for the Commission to harmonize the voting thresholds for broadcast licensees subject to existing ownership disclosure requirements, we find that adopting a uniform threshold of 10% equity and voting interests across all Covered Authorizations for purposes of the Foreign Adversary Control rules strikes the right balance between promoting national security, reducing regulatory burdens, and promoting regulatory consistency. For this reason, we also reject Foundation for Defense of Democracies’ (FDD) suggestion to adopt a 5% dominant minority threshold. *See* FDD July 21, 2025 Comments at 6. We respond specifically to NAB’s arguments about increased burdens below. *See infra* Section III.D. Finally, NAB concedes, “[i]n the event that the Commission chooses not to apply the 5% voting interest threshold consistent with broadcast attribution rules, NAB supports the use of a 10% voting or equity threshold.” NAB Comments at 16 & n.44.

<sup>57</sup> *Submarine Cable Report and Order* at \*13, para. 29 (citing *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3650, para. 72; *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market; Market Entry and Regulation of Foreign-Affiliated Entities*, IB Docket Nos. 97-142 and 95-22, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23992, para. 223 (1997) (*Foreign Participation Order*), *recon. denied*, *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket 97-142, Order on Reconsideration, 15 FCC Rcd 18158 (2000). The Commission also stated that this ownership threshold is consistent with Commission rules and precedent for assessment of any national security, law enforcement, foreign policy, and/or trade policy concerns regarding certain applications filed with the Commission as they relate to the applicant’s reportable foreign ownership. *Submarine Cable Report and Order* at \*13, para. 29 (citing *Foreign Participation Order*, 12 FCC Rcd at 23918-21, paras. 59-66; *Executive Branch Process Reform Order*, 35 FCC Rcd at 10928-29, 10938, 10965-66, paras. 3-4, 28, 95-96).

<sup>58</sup> 47 CFR § 1.70001(g)(4).

<sup>59</sup> *See, e.g.*, Computer & Communications Industry Association Comments at 2-3 (CCIA) (supporting alignment of our control thresholds with other Federal governmental bodies); FDD July 21, 2025 Comments at 2, 6; National Wireless Communications Council Comments at 2 (NWCC); The Center for Procurement Advocacy Comments at 1 (supporting the Commission’s proposal “to consider not just foreign ownership but also whether the entity is controlled by or subject to the jurisdiction or direction of a foreign adversary”).

<sup>60</sup> FDD July 21, 2025 Comments at 2.

<sup>61</sup> *Id.* at 6.

<sup>62</sup> *Id.*

<sup>63</sup> Information Technology Industry Council Comments at 2 (ITI).

suggests that the term “subject to the jurisdiction of” “broadens the scope of the . . . rule significantly without producing tangible upside from a supply chain risk management perspective.”<sup>64</sup> ITI also argues that inclusion of the term “risks forcing FCC Regulatees to classify employees based on citizenship status, rather than actual control or influence, thereby complicating compliance and undermining workforce equity and operational certainty.”<sup>65</sup> We disagree that this term will raise such a risk. The attestation and disclosure requirements we adopt herein pertain to the Regulatee, whether an individual or entity, that holds the Covered Authorization.<sup>66</sup> Under our definition, a Regulatee would not be deemed “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” solely because it has an employee that is a citizen of a foreign adversary country, as the definition would be applied to the Regulatee instead of the employee.<sup>67</sup> The definition would apply to circumstances, for example, where a Regulatee is an employee of a foreign adversary country, or a Regulatee is owned or controlled by (as those terms are defined herein) an employee of a foreign adversary or of an individual or entity that is owned or controlled by a foreign adversary.<sup>68</sup> We also reiterate that this definition has been adopted by the Commission and the Department of Commerce, and thus our implementation of such definition for purposes of the Foreign Adversary Control rules would promote consistency and minimize burdens for Regulatees subject to various similar regulations. For this reason, we also decline ITI’s suggestion that we adopt a 50% ownership threshold, rather than a 10% threshold.<sup>69</sup> Lastly, we dispute NAB’s contention that requiring all Regulatees to identify their voting *and* equity interests for the purposes of our Foreign Adversary Control rules would be unfair to those, such as broadcasters, that only must identify voting interests on their ownership reports by “creat[ing] additional burdens that are not being imposed on other services.”<sup>70</sup> Rather, we find that applying the rule broadly across different services reduces any perceived unfairness by requiring the same burden of reporting to which some Regulatees have already been subject. We additionally note that, as we explain below, we adopt a more tailored application of the attestation and reporting requirements to account for different entity types, sizes, and levels of sophistication.

19. We decline to adopt SentinelOne’s suggestion to expand the definition of Foreign Adversary Control to encompass more subtle forms of foreign adversary influence such as “commercial dependencies and critical contractual relationships, . . . material business interests, . . . economic coercion and strategic dependence scenarios, and . . . intellectual property and critical supply chain dependencies.”<sup>71</sup> In the *Submarine Cable Report and Order*, we also declined to include the word “influence” in defining the term “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,” and instead adopted a clearer and narrower definition that is also “aligned with interagency national security regulations deriving from President Trump’s Executive Order 13873, covering the closely related matter of ‘Securing the Information and Communications Technology and Services Supply Chain.’”<sup>72</sup> We recognized “that industry has recommended and prefers clear lines and

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<sup>64</sup> *Id.*

<sup>65</sup> *Id.* at 3.

<sup>66</sup> See 47 CFR § 1.70001(g).

<sup>67</sup> See *id.* § 1.70001(g)(1). The rule does not define an individual or entity that is “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” to include any individual or entity that employs a person who is a citizen of a foreign adversary country. See *id.*

<sup>68</sup> See *id.* § 1.70001(g)(1), (4).

<sup>69</sup> See ITI Comments at 2.

<sup>70</sup> NAB Comments at 12.

<sup>71</sup> SentinelOne Comments at 3-4.

<sup>72</sup> *Submarine Cable Report and Order* at \*11, para. 24.

directions rather than ambiguous and potentially capacious terminology.”<sup>73</sup> We noted that, “while every major global company is ‘subject to the influence’ of the government of the People’s Republic of China, including many prominent cable landing licensees, not all companies may be subject to a degree of influence such that they threaten national security and law enforcement interests.”<sup>74</sup> We reach the same conclusion here, that, “[w]hile we wish to sweep broadly enough to cover private entities subject to multifaceted forms of foreign adversary control, we do not desire or intend a scope as broad as ‘subject to the influence’ by itself implies.”<sup>75</sup> We also noted, however, that the Commission’s rules recognize that “[b]ecause the issue of control inherently involves issues of fact, it must be determined on a case-by-case basis and may vary with the circumstances presented by each case.”<sup>76</sup> We similarly find for purposes of the Foreign Adversary Control rules that, “[w]hile we include factors indicative of control in our definition of ‘owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,’ a determination of control is not limited to these factors.”<sup>77</sup> The Commission will consider the totality of the circumstances reflected in the record.<sup>78</sup> We are confident that applying the definition through a fact-based analysis on a case-by-case basis will allay SentinelOne’s concerns regarding specific scenarios potentially raised by Foreign Adversary Control. We note that, while we decline to amend the definition to include more subtle forms of control, we nevertheless retain the authority to take action to mitigate national security risks stemming from such forms of control should such actions be necessary.<sup>79</sup>

20. We also decline to “exclude any companies headquartered in the U.S. or an allied nation . . . who use a Chinese-incorporated subsidiary to conduct business in China’s commercial marketplace,” as the Center for Procurement Advocacy suggests.<sup>80</sup> The Center for Procurement Advocacy adds that we should consider exempting “companies that have firewalled any Chinese operations appropriately, thereby insulating non-Chinese business operations from risk.”<sup>81</sup> Exempting such companies from disclosure could sweep too broadly by allowing a Regulatee to determine that a firewall is sufficient without even disclosing a Chinese-incorporated subsidiary. This would deprive the Commission of the information needed to assess national security risk associated with the subsidiary, given that the multitude of domestic businesses which have foreign adversary-incorporated subsidiaries may have varying levels of “firewalls” protecting their domestic operations from Foreign Adversary Control. Given that the purpose of the rules is to establish a disclosure mechanism to fill gaps in the Commission’s knowledge of the forms of Foreign Adversary Control over Covered Authorizations, we find it important to gather all relevant information that would enable the Commission to responsibly protect national security interests. We thus find that our case-by-case approach to evaluating Foreign Adversary Control is well-suited to account for risk factors presented by Chinese-incorporated subsidiaries as well as the sufficiency of any mitigating measures such as firewalls. Additionally, as noted above, our interest in maintaining regulatory consistency within the agency and with other Federal agencies that administer this definition supports our decision not to adopt an exemption for such

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<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> *Id.*

<sup>78</sup> *Id.*

<sup>79</sup> We have relied on such subtle forms of control in several individual adjudications related to international section 214 authorizations. See, e.g., *China Telecom Americas Revocation Order*, 36 FCC Rcd at 15993-16008, paras. 45-64; *China Unicom Americas Revocation Order*, 37 FCC Rcd 1480, ; *China Mobile USA Order*, 34 FCC Rcd at 3368-71, paras. 14-19; *Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4277-86, paras. 65-73.

<sup>80</sup> The Center for Procurement Advocacy Comments at 1.

<sup>81</sup> *Id.*



arrangements.

21. *Foreign adversary and foreign adversary country.* For the purposes of our Foreign Adversary Control attestation and disclosure requirements, we use the definition of “foreign adversary” that was adopted by the Commission in the *Submarine Cable Report and Order*.<sup>82</sup> Specifically, the Commission defined “foreign adversary” consistent with the Department of Commerce’s rule, 15 CFR § 791.2, as “any foreign government or foreign non-government person determined by the Secretary of Commerce, pursuant to Executive Order 13873 of May 15, 2019, to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons as identified in 15 CFR [§] 791.4.”<sup>83</sup> For the purposes of implementing the rules we adopt today, we follow the Department of Commerce’s determination of foreign adversaries, consistent with the *Submarine Cable Report and Order*,<sup>84</sup> which currently includes:

- (1) The People’s Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region;
- (2) Republic of Cuba;
- (3) Islamic Republic of Iran;
- (4) Democratic People’s Republic of Korea;
- (5) Russian Federation; and
- (6) Venezuelan politician Nicolás Maduro.

In this *Report and Order*, our use of the term “foreign adversary country” incorporates the meaning of the Department of Commerce’s rule, 15 CFR § 791.4, which specifically identifies “foreign governments or foreign non-government persons” (in lieu of “countries”) as “constitut[ing] foreign adversaries.”<sup>85</sup> As in the *Submarine Cable Report and Order*,<sup>86</sup> we define “foreign adversary country” to include both the foreign governments identified as foreign adversaries in 15 CFR § 791.4 and countries controlled by a foreign adversary (including foreign nongovernment persons) identified in 15 CFR § 791.4.<sup>87</sup> We find that, as with our definition of Foreign Adversary Control, applying a definition that is already in use across Federal agencies and previously adopted by this agency promotes regulatory consistency and efficiency, and aligns with the policy goals of Executive Order 13873.<sup>88</sup> We agree with ITI that alignment with the Department of Commerce’s rule “will mitigate business uncertainty that would arise if multiple national security review programs were to make divergent determinations as to what countries are determined as ‘foreign adversaries.’”<sup>89</sup>

22. We disagree with FDD that we should “expand sourcing for [the] list of ‘foreign adversaries’ to include the Consolidated Screening List and other designations” such as “the Entity List

<sup>82</sup> See 47 CFR § 1.70001(e); *Submarine Cable Report and Order* at \*9, para. 20.

<sup>83</sup> 47 CFR § 1.70001(e); see also 15 CFR § 791.2.

<sup>84</sup> 47 CFR § 1.70001(e) (defining “foreign adversary”); 15 CFR § 791.4(a); *Submarine Cable Report and Order* at \*10, para. 21.

<sup>85</sup> See 15 CFR § 791.4(a); *Submarine Cable Report and Order* at \*10, para. 21.

<sup>86</sup> See *Submarine Cable Report and Order* at \*10, para. 22; 47 CFR § 1.70001(f) (defining “Foreign adversary country”).

<sup>87</sup> See 15 CFR §§ 791.4(a), 791.2 (referring to “a foreign adversary or a country controlled by a foreign adversary”).

<sup>88</sup> See 15 CFR § 791.4(b); 47 CFR § 1.70001(e)-(f). We note that our list of foreign adversary countries is also currently identical to the list of “foreign governments” determined by the Attorney General, with the concurrence of the Secretaries of State and Commerce, to be “countries of concern.” See 28 CFR § 202.601(a).

<sup>89</sup> ITI Comments at 2.

maintained by the Bureau of Industry and Security and the 1260H List maintained by the Department of Defense.”<sup>90</sup> As noted above, our adoption of the list of foreign adversaries designated by the Department of Commerce for its ICTS rules is aligned with Executive Order 13873 which addresses the risks presented by foreign adversaries’ exploitation of “vulnerabilities in information and communications technology and services, which store and communicate vast amounts of sensitive information, facilitate the digital economy, and support critical infrastructure and vital emergency services.”<sup>91</sup> The foreign governments or foreign non-government persons identified in the Department of Commerce’s rule, 15 CFR § 791.4, “have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons.”<sup>92</sup> We decline to adopt the Entity List maintained by the Department of Commerce’s Bureau of Industry and Security,<sup>93</sup> which, designates “certain foreign persons—including businesses, research institutions, government and private organizations, individuals, and other types of legal persons—that are subject to specific license requirements for the export, reexport and/or transfer (in-country) of specified items.”<sup>94</sup> Such a list may be unnecessarily granular with respect to “foreign persons” than would be necessary or appropriate for purposes of addressing the risks of Foreign Adversary Control associated with holders of Commission-issued licenses and authorizations. We also decline to adopt the 1260H List given that the inclusion of China on the Department of Commerce’s ICTS list of foreign adversaries would necessarily cover all the entities included on the 1260H List.<sup>95</sup>

## **2. Establishing a Risk-Based Framework of Schedules to Classify Covered Authorizations**

23. We adopt rules to establish a reporting framework that distinguishes and categorizes each Covered Authorization based on whether the Regulatee is: (A) required to submit an attestation either affirming or denying Foreign Adversary Control; (B) solely required to submit an attestation affirming Foreign Adversary Control; or (C) is not required to file an attestation in either event.<sup>96</sup> We then categorize Commission-granted licenses, leases, authorizations, permits, grants, and other approvals onto three Schedules that assign each of these levels of reporting requirements based on a variety of factors including national security risk of Foreign Adversary Control and reporting burdens. We find this approach ensures the Commission receives the information it needs to promote national security while minimizing burdens to entities that present minimal or no national security risk.<sup>97</sup> The complete listing of Covered Authorizations by Schedule can be found in Appendix A, section 1.80002(a)-(c). Under this approach, we clarify that, if a Regulatee with an attestation obligation is unsure how to respond, it must

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<sup>90</sup> FDD July 21, 2025 Comments at 6.

<sup>91</sup> Exec. Order 13,873, 84 Fed. Reg. at 22689.

<sup>92</sup> 15 CFR § 791.4(a).

<sup>93</sup> *Id.* part 744, Supplement No. 4 to Part 744—Entity List.

<sup>94</sup> U.S. Department of Commerce, Bureau of Industry and Security, *What is the Entity List?* (2024), <https://www.bis.doc.gov/index.php/cbc-faqs/faq/281-1-what-is-the-entity-list>; *see also* 15 CFR part 744, Supplement No. 4 (listing the Entity List under the Export Administration Regulations).

<sup>95</sup> *See* Department of Defense, Office of the Secretary, Notice of Availability of Designation of Chinese Military Companies, 90 Fed. Reg. 1105 (Jan. 7, 2025). Most of the entities on the Entity List are also covered under the rules we adopt today. *See* 15 CFR part 744, Supplement No. 4.

<sup>96</sup> *See infra* Section III.B.

<sup>97</sup> *See* ITI Comments at 4 (“While we appreciate the goal of ensuring transparent disclosures, requiring all FCC licensees and authorization holders to make such a certification may impose an undue burden, especially on entities with no nexus to national security concerns. Many covered entities operate in sectors or provide services that pose no credible risk of foreign adversary influence. They should not be subject to a one-size-fits-all attestation mandate.”).

respond “yes,” and Commission staff will review the matter. “No” responses must be definitive, and filers may not seek staff clarification in their attestations or include materials with such responses meant to disclose information for staff review.

24. *Schedule A.* We assign to Schedule A those Covered Authorizations for which Regulatees must make a definitive attestation as to whether or not they are subject to Foreign Adversary Control.<sup>98</sup> We find that Covered Authorizations in Schedule A present heightened national security risks because any exploitation of such Regulatees through Foreign Adversary Control could directly compromise the integrity of the nation’s communications networks. These entities typically provide essential services upon which the entire communications ecosystem depends. Their facilities often serve as the backbone of the nation’s communications networks, such that vulnerabilities presented by even a single facility could be exploited to cause negative impacts that cascade across multiple networks and sectors. Because of this systemic importance, we find it necessary for Schedule A Regulatees to provide definitive “yes” or “no” attestations, ensuring that the Commission and our national security Federal partners receive transparent and actionable information.<sup>99</sup> Further, we considered typical entity size when making determinations for how to classify Covered Authorizations, and those assigned to Schedule A include some of the largest Regulatees. These larger entities typically have larger networks and greater resources, including the means to obtain legal or compliance advice, that would facilitate compliance with these attestation and disclosure requirements. Thus, we conclude Regulatees with Covered Authorizations in Schedule A will be able to sustain the regulatory burden of completing the attestation and disclosure requirements, and the benefits of collecting this information outweigh the burdens.

25. *Schedule B.* We assign to Schedule B those Covered Authorizations for which Regulatees must make a definitive attestation only if they are subject to Foreign Adversary Control. We find that the systemic national security risks associated with Foreign Adversary Control of these entities is lower than for Schedule A Regulatees, but nevertheless Schedule B Regulatees operate in markets or provide services where knowledge of the presence of Foreign Adversary Control would be critical to the Commission’s oversight and protection of the nation’s communications networks. This tailored approach ensures that the Commission will receive “yes” attestations where risk is present, while minimizing compliance burdens where no or minimal risk exists.<sup>100</sup>

26. *Schedule C.* We assign to Schedule C those Covered Authorizations that are exempt from initially attesting as to whether or not they are subject to Foreign Adversary Control.<sup>101</sup> We exempt these Covered Authorizations from the initial attestation requirement because we find that likelihood of Foreign Adversary Control is limited, other reporting obligations already provide sufficient visibility into their ownership or control, their role in communications networks presents minimal national security risks, or they are already subject to other Commission regulations that adequately address the risks of Foreign Adversary Control. Further, we find that individual or small-entity Regulatees may pose a lesser risk to national security should they be under Foreign Adversary Control. Therefore, the collection of this information would be unnecessarily burdensome upon these individuals and entities, substantially

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<sup>98</sup> See *infra* Section III.B.

<sup>99</sup> FDD Oct. 3, 2025 Comments at 2 (explaining that the Commission should require “both positive and negative attestations” because it would result in “a more comprehensive registry while also allowing for potential [enforcement action against entities] found to be falsifying submissions”).

<sup>100</sup> ITI Comments at 3-4.

<sup>101</sup> See Appx. A (§ 1.80002(c)) (designating in Schedule C voluntarily filed antenna structure registrations; Commission auction applications; wireless licenses in the Personal Radio Services, including Amateur, GMRS, ship, and aircraft; Part 13 radio operator licenses and permits; and Supplier’s Declaration of Conformity). Unless the relevant licensing Bureau or Office has provided clarification, a license, authorization, grant, or other Commission approval that is not listed in Schedules A, B, or C shall apply Schedule C requirements, and the Regulatee is exempt from initially attesting to whether they are subject to Foreign Adversary Control.

outweighing the benefits. By exempting these Covered Authorizations, we prioritize efficiency and reduce duplicative reporting requirements.<sup>102</sup>

27. *Future Adjustments.* We recognize that national security risks associated with Foreign Adversary Control may change over time, both as the broader national security landscape evolves and as communications technologies, market forces, and economic realities that influence the communications sector continue to develop. We must balance our need to obtain a clear understanding of the presence of Foreign Adversary Control in the communications sector with the administrability of the information collection. Accordingly, we delegate authority to the respective Bureau or Office issuing the Covered Authorization (including those not addressed in this *Report and Order*) to modify the list of Covered Authorizations within each Schedule to add a new Covered Authorization, reassign an existing Covered Authorization from one Schedule to another, or remove a Covered Authorization, subject to the analysis described below. A Bureau or Office may make such modifications on petition or its own motion, through notice-and-comment rulemaking as necessary, and such modifications will be published in the Federal Register.<sup>103</sup>

28. Bureaus and Offices must consider and discuss the following factors when determining whether a modification is warranted:

- (1) National security risks. This includes assessing (i) the type and size of Regulatee; (ii) the communications sector involved, including supply chain dependencies; (iii) the nature and type of the underlying infrastructure; and (iv) the possibility and probability of Foreign Adversary Control;
- (2) Administrability. This includes assessing whether the modification would simplify or complicate existing compliance processes for both the Commission and Regulatees, as well as the feasibility of agency review and enforcement;
- (3) Burden on Regulatee. This includes evaluating whether the attestation and disclosure requirements substantially duplicate existing reporting requirements, whether the burden would fall disproportionately on smaller entities, and whether the license, authorization, grant, or other Commission approval is similarly situated to an existing Covered Authorization and thus should be treated similarly; and
- (4) Other relevant considerations. This includes any other criteria deemed relevant by the applicable Bureau or Office, such as whether the attestation requirement for the Covered Authorization remains necessary in light of technological or industry developments.

29. When a Bureau or Office considers whether to make adjustments to the Covered Authorizations list or to assign a Covered Authorization to a Schedule, these factors should be evaluated and taken in balance such that the benefits of the reporting outweigh the burdens.<sup>104</sup> Commenters agree that it is important for the Commission to be aware of Foreign Adversary Control in the communications sector, but disagree as to whether the list of Covered Authorizations should be expanded or narrowed. Some urge a broader scope to reduce opportunities for foreign adversaries to access U.S. networks or

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<sup>102</sup> See ITI Comments at 4 (“To avoid regulatory inefficiency, we urge the Commission to coordinate with existing frameworks and clearly delineate the applicability of any new rules to avoid overlapping with established processes.”).

<sup>103</sup> Prior to adopting any modifications, the Bureau or Office will seek comment on any such modifications to the Schedules in accordance with the requirements of the Administrative Procedure Act (APA), 5 U.S.C. § 553, and the Commission’s rules, 47 CFR §§ 1.399-1.430.

<sup>104</sup> CCIA Comments at 2 (supporting a balanced approach and recommending “[a] risk-based set of disclosure rules—requiring more information from entities with demonstrable and significant foreign adversary control”).

circumvent reporting requirements.<sup>105</sup> Others believe that existing Commission disclosure processes are sufficient.<sup>106</sup> Several commenters support a balanced approach that secures necessary information without imposing unnecessary burdens on entities that do not pose Foreign Adversary Control risks.<sup>107</sup> Commenters also emphasize the need to account for sector-specific risk exposure so that regulatory resources remain focused on genuine national security threats and compliance costs do not hinder innovation or investment.<sup>108</sup> We agree with CCIA that “[a] risk-based set of disclosure rules—requiring more information from entities with demonstrable and significant foreign adversary control” provides an appropriate approach.<sup>109</sup> Guided by these considerations, we find that the framework adopted today balances the need for the Commission’s insight into Foreign Adversary Control and the burdens placed on reporting entities.

### 3. Types of Licenses Required to Report

#### a. Wireless Services

30. We adopt our proposal to include all licenses, leases, authorizations, permits, grants, and other approvals in the wireless services within the scope of our Foreign Adversary Control rules,<sup>110</sup> but adopt a tailored approach to the application of the rules by individually categorizing each license type within the three Schedules discussed above.<sup>111</sup>

31. *Broadband-capable geographic-area wireless licenses and Commission-certified frequency coordinators.* We assign to Schedule A geographic-area wireless licenses capable of 4G or 5G mobile broadband service. These exclusive-use licenses cover the backbone of commercial wireless communications networks in the United States. Foreign Adversary Control of such licenses would therefore present a great risk to our national security interests. We also include in this category Commission-certified frequency coordinator certifications.<sup>112</sup> Frequency coordinators make key recommendations to the Wireless Telecommunications Bureau regarding frequency assignments over a wide range of spectrum bands. Given their unique role in spectrum assignments, we likewise find that the national security risk of Foreign Adversary Control of such Regulatees outweighs the burden of filing a Schedule A certification.

32. *Site-based wireless licenses and geographic-area licenses not covered by Schedule A or*

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<sup>105</sup> See, e.g., FDD Oct. 3, 2025 Comments at 2 (arguing that the Commission “should broaden the scope . . . to cover all applicants” as expanding would “streamline efforts to prevent China and other foreign adversaries from accessing the nation’s telecommunications network, while preventing states, entities, and individuals from circumventing reporting requirements.”).

<sup>106</sup> See NAB Comments at 6 (explaining that “existing processes ensure that the Commission and the Executive Branch are aware of foreign adversaries’ relationships to Regulatees.”); see also ITI Comments at 3 (noting that “for certain sectors . . . there is already an existing disclosure process in place . . .”).

<sup>107</sup> See, e.g., CCIA Comments at 1-2 (supporting the Commission’s proposed balance between obtaining “necessary information, while not unduly burdening Regulatees without reportable Foreign Adversary Control”); ITI Comments at 1, 5.

<sup>108</sup> See ITI Comments at 3 (recommending that we consider the “risk exposure” of each sector in order to avoid “divert[ing] scarce regulatory resources from genuine national-security threats . . . [and] imposing unnecessary costs that chill innovation and investment”).

<sup>109</sup> CCIA Comments at 2.

<sup>110</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3742, para. 22.

<sup>111</sup> See Appx. A (§ 1.80002(a)-(c)) (listing all wireless Covered Authorizations by Schedule).

<sup>112</sup> 47 CFR part 26 (Space Launch Services); *id.* part 87 (Aviation Services); *id.* part 90 (Private Land Mobile Radio Services); *id.* part 95 (Personal Radio Services); *id.* part 96 (Citizens Broadband Radio Service); *id.* part 101 (Fixed Microwave Services).

C, and FCC-appointed managers of third-party registration database(s) (part 101 subpart Q). We designate on Schedule B all site-based wireless licenses, and those geographic-area wireless licenses that do not fall within Schedule A or C, i.e., geographic-area licenses: (1) for services that do not have sufficient capacity to support broadband, (2) that under our service rules may not provide mobile service, or (3) that are not exclusive-use or are individually licensed. These licenses and authorizations largely play localized roles in supporting business and industry (and to a much lesser extent, mass-market consumers) and therefore the risk of Foreign Adversary Control over these licenses and authorizations is lower than those on Schedule A.<sup>113</sup> We also agree with National Wireless Communications Council's (NWCC) argument that there would be administrability challenges in applying a Schedule A attestation requirement on private, non-common-carrier licensees.<sup>114</sup> As NWCC argues, "requiring certifications from private and non-common carrier licensees authorized under [47 CFR parts 22, 80, 87, 90, 95, 96, 101] may be unduly burdensome for the FCC, whose staff will need to review each such certification. There are several hundred thousand such licensees, including a large number of [public safety] entities, and the communications networks they operate are internal to their own organizations."<sup>115</sup>

33. *Mandatory antenna structure registrations.* Consistent with our authority under sections 301 and 303 of the Act,<sup>116</sup> we assign to Schedule B registrations of towers in the Antenna Structure Registration (ASR) system pursuant to mandatory filing under 47 CFR § 17.4(a). Unless such owners also hold Commission-granted licenses or authorizations, they do not directly access the public communications network and thus Foreign Adversary Control over such entities would pose less of a risk to national security. ASR owners that also hold Covered Authorizations assigned to Schedule A shall report according to the attestation rules applicable to that Schedule.

34. *Other wireless licenses and authorizations.* We assign to Schedule C Amateur Radio Service licenses; voluntary antenna structure registrations; Ship and Aircraft licenses; General Mobile Radio Service (GMRS) licenses; Commercial Radio Operator licenses (pursuant to 47 CFR part 13); and authorizations for individuals to operate stations by rule in the Ship, Aircraft, and Personal Radio Services (pursuant to 47 CFR parts 80, 87, and 95).

35. We agree with the National Association for Amateur Radio (ARRL) that, while there is a need to protect national security where entities are "engaged in commerce by providing networks, services or equipment to the American public, where there is the possibility of sensitive information being surreptitiously accessed."<sup>117</sup> As ARRL notes, "[a]mateur radio licensees not only do not sell or provide any communications service, network, or equipment to the public, but in fact they are prohibited from doing so by both international and domestic law."<sup>118</sup> The risk to national security of Foreign Adversary Control over these licenses is minimal due to the lack of connection to any of the nation's communications networks used by the public. We also agree with ARRL that this reasoning applies to similar services where licenses are held by individuals (e.g., GMRS, Commercial Radio Operators), as well as other licenses and authorizations that lack sufficient connection to commercial wireless communications networks in the United States. Furthermore, the Personal Radio Services—a category that encompasses over 1.6 million unique, mostly individual licensees—operate in shared spectrum bands for hobbyist and safety purposes, posing little threat to national security. Similarly, we include antenna structure owners that voluntarily register their towers in Schedule C because they are likely to be

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<sup>113</sup> See NWCC Comments at 3 (arguing that it is unlikely that "a foreign adversary would have reason to attempt to control or direct such systems in an effort to compromise our national security").

<sup>114</sup> *Id.* at 2.

<sup>115</sup> *Id.* at 3.

<sup>116</sup> 47 U.S.C. §§ 301, 303.

<sup>117</sup> The National Association for Amateur Radio Comments at 2 (ARRL).

<sup>118</sup> *Id.*

individuals or companies that lack sufficient connection to commercial communications networks. Given the sheer number of licensees and authorization holders in this group, the drain on Commission personnel and resources to process the collections and attestations for each individual licensee would far outweigh the little benefit to the public or the agency of doing so.

**b. Section 310(b) Declaratory Rulings**

36. We adopt our proposal to include both pending and granted section 310(b) petitions for declaratory ruling<sup>119</sup> within the scope of the attestation and disclosure rules, and place them in Schedule A.<sup>120</sup> Section 310(b) of the Act provides for Commission review of foreign investment in radio station licenses and imposes specific restrictions on who may hold certain types of radio station licenses.<sup>121</sup> In evaluating a petition for a declaratory ruling seeking a determination that it is in the public interest to exceed the section 310(b)(3) and (b)(4) statutory foreign ownership benchmarks, the Commission's public interest analysis considers, among other things, any national security, law enforcement, foreign policy, and trade policy concerns raised by the proposed foreign investment.<sup>122</sup> While the rules set forth ownership disclosure requirements,<sup>123</sup> those requirements do not capture the information that we need to ascertain whether a petitioner is "controlled by, or subject to the jurisdiction or direction of a foreign adversary."<sup>124</sup> Foreign Adversary Control of a Regulatee may raise similar national security risks to

<sup>119</sup> 47 U.S.C. § 310(b)(3), (4). Section 310(b) of the Communications Act imposes certain restrictions on who may hold various types of radio licenses and requires the Commission to review foreign investment in broadcast, common carrier, aeronautical en route, and aeronautical fixed radio station licensees. *Id.* § 310(b). Section 310(b)(3) prohibits foreign individuals and entities from holding equity and/or voting interests of more than 20% in a U.S. broadcast, common carrier, or aeronautical radio station licensee. *Id.* § 310(b)(3). Section 310(b)(4) prohibits foreign individuals and entities from holding equity and/or voting interests of more than 25% in a U.S.-organized entity that directly or indirectly controls a U.S. broadcast, common carrier, or aeronautical en route or aeronautical fixed radio station licensee. *Id.* § 310(b)(4). With a prior Commission finding that the proposed foreign ownership is in the public interest, a foreign individual, government, or entity may hold, directly or indirectly, more than 25% (and up to 100%) of the equity and voting interests of a licensee's controlling U.S. parent. *Id.*; 47 CFR §§ 1.5000-1.5004; *see Review of Foreign Ownership Policies for Broadcast, Common Carrier and Aeronautical Radio Licensees under Section 310(b)(4) of the Communications Act of 1934, as Amended*, GN Docket No. 25-149, Notice of Proposed Rulemaking, 40 FCC Rcd 3516 (2025).

<sup>120</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3742-43, para. 24. No comment in the record addresses how best to receive certification and reporting from entities holding section 310(b) declaratory rulings.

<sup>121</sup> 47 U.S.C. § 310(b) (applying foreign ownership restrictions to broadcast, common carrier, aeronautical en route, aeronautical fixed radio station licenses, and spectrum lessees). "Spectrum lessees" are defined in section 1.9003 of Part 1, Subpart X of the rules. 47 CFR § 1.9003.

<sup>122</sup> 47 U.S.C. § 310(b)(3)-(4); *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market; Market Entry and Regulation of Foreign-Affiliated Entities*, IB Docket Nos. 97-142 and 95-22, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23918-21, paras. 59-66 (1997); *Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees under Section 310(b)(4) of the Communications Act, as Amended*, IB Docket No. 11-133, First Report and Order, 27 FCC Rcd 9832, 9843, para. 27 (2012); *Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees Under Section 310(b)(4) of the Communications Act of 1934, as Amended*, IB Docket 11-133, Second Report and Order, 28 FCC Rcd 5741, 5751, para. 13 (2013).

<sup>123</sup> The Commission's rules set out the specific requirements for what must be included in the petition, which include, among other things, the proposed aggregate foreign ownership and the citizenship for all individuals and entities, both United States or foreign, that will hold a direct or indirect 10% or greater equity and/or voting interest in the controlling U.S. parent of the licensee(s). 47 CFR § 1.5001(e), (f), (g), (h).

<sup>124</sup> *See, e.g., id.* § 1.70001(g); *Submarine Cable Report and Order* at \*119, Appx. A (§ 1.70001(g)); *see supra* Section III.A.1. Unlike the newly adopted certification rules for applicants for submarine cable landing licenses, the Commission's requirements for a petition for section 310(b) declaratory ruling do not include a certification as

(continued....)



critical U.S. communications infrastructure as foreign adversary ownership. Without this up-to-date information, the Commission lacks full visibility into the risks within our networks presented by such Foreign Adversary Control. We thus include section 310(b) petitions that are pending or have been granted in Schedule A to close this information gap and assist the Commission's review of public interest implications of a section 310(b) petition. We clarify that Regulatees that hold Covered Authorizations that are assigned to Schedules B or C and have a pending section 310(b) petition for declaratory ruling or are subject to a section 310(b) declaratory ruling will instead be required to file Schedule A attestations.

**c. Satellite**

37. We adopt the Commission's proposal to include space and earth station authorizations within the scope of the attestation and disclosure requirements and place them in Schedule A.<sup>125</sup> As discussed in the *Notice*, the Commission requires applicants for space and earth station authorizations, including authorizations for U.S. market access, to submit FCC Form 312—Main Form, which includes certain disclosures regarding reportable foreign ownership interests in the applicant or licensee.<sup>126</sup> ITI suggests the Commission should avoid creating overlapping requirements with existing frameworks.<sup>127</sup> To avoid duplicative disclosure requirements, we decline to incorporate the Foreign Adversary Control attestation into the current FCC Form 312 in favor of a unified reporting approach for all Regulatees.<sup>128</sup> No commenter objected to the proposed reporting requirements. As such, we conclude that all Regulatees submitting, or who have submitted, FCC Form 312 or otherwise seeking or holding an authorization under Part 25 of the Commission's rules<sup>129</sup> must also submit a Foreign Adversary Control attestation, consistent with the procedures adopted herein. We find that attestations from these Regulatees will serve the public interest by providing more accurate and specific information regarding Foreign Adversary Control in space and earth station networks.<sup>130</sup> Further, we determine that any burdens or overlaps in reporting posed by these attestation and disclosure requirements are minimal and outweighed by the necessity and benefit of disclosure and transparency in protecting U.S. satellite networks from foreign adversaries.

**d. Media**

38. *Broadcast licenses and Cable Television Relay Service.* We adopt our proposal to

(Continued from previous page)

whether or not a petitioner is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. *See* 47 CFR §§ 1.5000-1.5004; *see also Submarine Cable Report and Order* at \*41, para. 103.

<sup>125</sup> *See Foreign Adversary Control Notice*, 40 FCC Rcd at 3743-44, para. 27.

<sup>126</sup> *See id.* at 3744, para. 27 & n.60; FCC Form 312—Main Form at 3.

<sup>127</sup> *See* ITI Comments at 3 (stating that the satellites sector already discloses foreign ownership via FCC Form 312, and suggesting that the Commission coordinate any new requirements with existing frameworks).

<sup>128</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3743-44, para. 27.

<sup>129</sup> *See* 47 CFR § 25.102(a) (stating that "no person shall use or operate apparatus for the transmission of energy or communications or signals by space or earth stations under, and in accordance with, an appropriate authorization granted by the Federal Communications Commission").

<sup>130</sup> The Commission's *Space Modernization for the 21st Century Notice of Proposed Rulemaking (Space Modernization Notice)* adopted in October 2025 proposes to modernize and revise the space and earth station licensing procedures under part 25 of the Commission's rules, including the foreign ownership reporting for these applicants and licensees. *See Space Modernization for the 21st Century*, SB Docket No. 25-306, Notice of Proposed Rulemaking, FCC 25-69, at 17-18, paras. 45-47 (Oct. 29, 2025) (*Space Modernization Notice*). We clarify that the Foreign Adversary Control attestation and disclosure requirements adopted herein do not affect, or conflict with, any proposed revisions or requirements in the *Space Modernization Notice* and any changes to the part 25 rules or proposed part 100 rules specific to foreign ownership reporting will be addressed in that proceeding.

include broadcast licenses<sup>131</sup> within the scope of the attestation and disclosure rules, and place them in either Schedule A or Schedule B, depending on certain qualifications.<sup>132</sup> Specifically, we assign to Schedule A broadcast and Cable Television Relay Service (CARS) licenses held by a Regulatee (or its affiliate) with six or more full-time employees.<sup>133</sup> We assign all other broadcast and CARS licenses to Schedule B. Historically, the Commission has exempted broadcast licensees with five or fewer employees from rules or given those licensees more time to comply with Commission rules, and we believe that the same treatment is appropriate here.<sup>134</sup> Consistent with the *Notice*, we find that the public interest will be served by requiring larger broadcasters and those with Foreign Adversary Control to provide more accurate information about foreign adversary interests in accordance with the uniform initial reporting deadline we establish in this rulemaking, rather than postponing the filing of this information until the next license renewal cycle.<sup>135</sup> The attestation and disclosure rules will fill critical information gaps regarding the Foreign Adversary Control of broadcast licensees in a timely manner. The Commission requires all existing broadcast licensees to certify in their renewal applications filed every eight years that they comply with our foreign ownership requirements and in foreign ownership petitions for declaratory ruling if the licensee will have foreign investment that exceeds specified thresholds.<sup>136</sup>

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<sup>131</sup> Broadcast licenses include AM, FM, Low Power FM, FM Translator, FM Booster, TV, Class A TV, Low Power TV, and TV Translator station licenses. *See* 47 CFR parts 73, 74.

<sup>132</sup> As explained with respect to section 310(b) petitions for declaratory rulings, *see supra* para. 36, a broadcaster, regardless of size, that has filed a petition for declaratory ruling or is subject to a declaratory ruling will be assigned to Schedule A.

<sup>133</sup> In calculating the number of full-time employees, a Regulatee should include all of the full-time employees of the Regulatee's affiliates in addition to its own full-time employees.

<sup>134</sup> *See, e.g.,* 47 CFR § 73.2080(d); *Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, MB Docket No. 14-127, Report and Order, 31 FCC Rcd 526, 558-559, para. 83 (2016).

<sup>135</sup> We note that the Commission has found that “leased airtime [is] the primary means by which foreign governmental entities are accessing U.S. airwaves to persuade the American public without adequately disclosing the true sponsor.” *Sponsorship Identification Requirements for Foreign Government-Provided Programming*, MB Docket No. 20-299, Second Report and Order, 39 FCC Rcd 6049, 6051-52, para. 4 (2024) (*Foreign Sponsorship Identification Second Report and Order*), *review denied*, *National Ass’n of Broadcasters v. FCC*, 147 F.4th 978 (D.C. Cir. 2025). In the case of foreign adversary countries, however, we find that the national security risks discussed above justify a heightened and more immediate level of reporting with respect to lessees as well as the licensees themselves. *See generally supra* Section III.A.2.

<sup>136</sup> *See* 47 CFR § 73.1020; FCC Form 2100, Schedule 303-S, Alien Ownership and Control Question (“Licensee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.”). Filings of non-biennial Ownership Reports on occasion also capture station ownership but do not specifically collect foreign ownership information, as do applications for new station construction permits and applications for assignment or transfer of control of a broadcast station. *See* 47 CFR § 73.3615; FCC Form 2100, Schedule 301 (commercial AM or FM station); FCC Form 2100, Schedule 318 (Low Power FM station); FCC Form 2100, Schedule 340 (Noncommercial Educational FM station); FCC Form 2100, Schedule 349 (FM Translator or FM Booster Station); FCC Form 2100, Schedule A (Commercial TV station), Schedule A-340 (Noncommercial Educational TV station), Schedule C (Low Power or TV Translator station), and Schedule F (Class A TV station); FCC Form 2100, Schedule 314 (Application for Consent to Assignment of Broadcast Station Construction Permit or License); FCC Form 2100, Schedule 315 (Application for Consent to Transfer Control of Corporation Holding Broadcast Station Construction Permit or License), FCC Form 2100, Schedule 316 (Application for Consent to Assign Broadcast Station Construction Permit or License or Transfer Control of Entity Holding Broadcast Station Construction Permit or License); FCC Form 2100, Schedule 345 (LPTV Assignment and Transfer Application). The Commission also collects foreign ownership information from broadcasters that are publicly traded companies and that have a sudden change in ownership. *See* 47 CFR §§ 1.5000(a)(1), 1.5004(f)(3). Where foreign ownership does not exceed the thresholds in section 310, the licensee does not need to provide anything other than a simple certification with its renewal application.

Immediate reporting will ensure that if a foreign adversary takes ownership of, or exerts other forms of control over, a licensee that provides critical information to our local communities, we will not need to wait up to eight years to discover that fact.

39. *Foreign adversary sponsorship.* As we note in multiple contexts and in the *Notice*, ownership is only one of many forms of control that a foreign adversary may exercise over a Regulatee. As such, in the broadcast context, we consider a recipient of an affirmative response from a foreign adversary to the required inquiries applicable to airtime lessees under the Commission's foreign sponsorship identification rules to be subject to a higher national security risk comparable to Foreign Adversary Control, and require such recipients to file foreign adversary lessee information with the Commission.<sup>137</sup> Specifically, any broadcaster that receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary must file with the Commission the information the lessee provided to the broadcaster. If the broadcast licensee has fewer than six employees and receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary but the licensee itself does not meet the criteria for a "yes" attestation, then the broadcaster will fulfill its duties under Schedule A by filing a copy of the lessee's information with the Commission; the licensee will not be required to attest "no." Our foreign sponsorship identification rules require radio and television stations to provide an on-air disclosure whenever the licensee broadcasts programming that is provided by a foreign governmental entity through a lease of time on their stations and place additional information regarding the disclosures and corresponding programming in the station's Online Public Inspection File (OPIF).<sup>138</sup> The Commission found these requirements were necessary because instances of foreign government involvement in the broadcast of programming had gone undisclosed.<sup>139</sup> However, affirmative responses are not filed with the Commission, and although lessees must identify the country associated with a foreign governmental entity, they are not required to state whether a reported foreign governmental entity is also a foreign adversary. Requiring all broadcasters that lease airtime to foreign adversaries to file foreign adversary lessee information with the Commission will fill this information gap by making the relevant information readily available to Commission staff and the public, separate and apart from all of the other information that is filed in OPIF, without unduly burdening broadcasters.

40. NAB raises concerns about the burden on broadcasters that the Commission's attestation and disclosure requirements will impose.<sup>140</sup> NAB argues that "mandating tens of thousands of broadcasters and other Regulatees to conduct due diligence and submit certifications about foreign adversary control is merely imposing another costly layer of regulation on holders of Covered Authorizations with no corresponding public interest benefit. In particular, there is no point in tens of thousands of Regulatees reporting that they lack any foreign adversary control."<sup>141</sup> NAB adds that, "[g]iven the existing burdens facing broadcasters and the fact that they already are required to conduct

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<sup>137</sup> See 47 CFR § 73.1212(j); see also *Foreign Sponsorship Identification Second Report and Order*, 39 FCC Rcd at 6051-52, para. 4 ("The disclosure requirements apply to leased programming because the record in the underlying proceeding identified leased airtime as the primary means by which foreign governmental entities are accessing U.S. airwaves to persuade the American public without adequately disclosing the true sponsor.").

<sup>138</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3745, para. 30; see also *Foreign Sponsorship Identification Second Report and Order*, 39 FCC Rcd at 6051-52, para. 4.

<sup>139</sup> *Foreign Sponsorship Identification Second Report and Order*, 39 FCC Rcd at 6049-50.

<sup>140</sup> See NAB Comments at 7. NAB argues that the requirements we are adopting are unnecessary because the Commission cannot point to a single instance of Foreign Adversary Control going undetected except with respect to several Chinese state-owned section 214 authorizations. See *id.* at 6-7; see also *id.* at 7 (the Commission has not cited evidence that foreign adversary ownership of broadcasters is a real problem), 9 (urging the Commission at least to not require all broadcasters to report but instead only those with Foreign Adversary Control).

<sup>141</sup> *Id.* at 7.

diligence and submit ownership-related information to the Commission, imposing a foreign adversary control certification would be an unjustified burden on broadcast licensees.”<sup>142</sup> While we agree that the Commission should avoid imposing unnecessary burdens wherever possible, we find that the national security risk of Foreign Adversary Control over larger broadcasters outweighs the cost of filing a Schedule A attestation.<sup>143</sup> To mitigate the burdens on smaller broadcasters, we adopt the less burdensome Schedule B attestation requirement which enables broadcasters with five or fewer employees to comply with attestation and disclosure requirements only in the event of Foreign Adversary Control. In addition, we provide an extended initial response period for certain small broadcasters.<sup>144</sup> We anticipate that many broadcasters will qualify for this extended deadline. We discuss NAB’s assessment of costs in more detail in Section III.D below.<sup>145</sup>

41. NAB also claims the Commission lacks authority under the sponsorship identification rules to require broadcasters to inquire whether a lessee is a foreign adversary or make any disclosure not already required by those rules.<sup>146</sup> NAB adds that no broadcaster that is not leasing time to a foreign governmental entity should be required to make any additional or different inquiries of lessees or undertake additional “due diligence” to ascertain the identity of the sponsor.<sup>147</sup> NAB’s statutory authority objections are not applicable to the final rule. Our rule does not require broadcasters to obtain any new information from lessees or undertake additional inquiries of lessees. Rather, we require only that the broadcaster determine whether the country named in a foreign governmental entity sponsorship ID disclosure is one of the six foreign adversaries identified in our rules<sup>148</sup> and file a foreign adversary lessee’s disclosure in the Foreign Adversary Control System.<sup>149</sup> A lessee’s status as a foreign adversary clearly goes to its identity and not to unrelated characteristics that are outside the scope of the Commission’s authority under section 317 of the Communications Act.<sup>150</sup> Further, in determining

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<sup>142</sup> *Id.* at 9.

<sup>143</sup> *See Broadcasting Foreign Investment Declaratory Ruling*, 28 FCC Rcd at 16244, para. 2 (noting that the statutory foreign ownership limitations of 47 U.S.C. § 310(b) were meant to “thwart the airing of foreign propaganda on broadcast stations.”); *Section 310 Citizenship Requirements Declaratory Ruling*, 103 F.C.C.2d at 516-17 (stating that “Section 310(b) reflects the broader purpose of ‘safeguard[ing] the United States from foreign influence’ in the field of broadcasting”); *see also National Ass’n of Broadcasters v. FCC*, 147 F.4th 978, 988 (D.C. Cir. 2025) (explaining in detail the longstanding congressional concern about foreign influence in broadcasting).

<sup>144</sup> *See infra* Section III.C.3.

<sup>145</sup> *See infra* Section III.D.

<sup>146</sup> NAB Comments at 22.

<sup>147</sup> *Id.* at 23 (“Under no circumstances should *any* broadcaster that is *not* leasing time to foreign governmental entities be required to make any additional or different inquiries of lessees or take any other steps in furtherance of so-called ‘diligence’ concerning the identity of the entity who is sponsoring leased programming.”) (emphasis in original).

<sup>148</sup> *See* 47 CFR § 1.70001(e)-(f).

<sup>149</sup> Our rule does not require any new on-air disclosure. *See* NAB Comments at 22-23 (urging the Commission to “limit any new obligations to broadcasters *already making disclosures* concerning foreign government sponsored programming, such as, for example, adding the phrase ‘which is a U.S. foreign adversary’ to the end of the existing on-air and online public file disclosures”) (emphasis in original); *see also Foreign Sponsorship Identification Second Report and Order*, 39 FCC Rcd at 6051-52, para. 4 (“The disclosure requirements apply to leased programming because the record in the underlying proceeding identified leased airtime as the primary means by which foreign governmental entities are accessing U.S. airwaves to persuade the American public without adequately disclosing the true sponsor.”). We describe the Foreign Adversary Control System in Section III.C.2 below. *See infra* Section III.C.2.

<sup>150</sup> *See* NAB Comments at 22 (stating that “[a]ny interpretation of the statute to allow [a requirement that broadcasters “inquire whether a lessee is a foreign adversary, or make a further disclosure beyond what is already required under the foreign sponsorship identification rules”] would effectively place no limit on what inquiries

(continued....)

whether a foreign country named by a foreign governmental entity lessee is a “foreign adversary” pursuant to the Commission rule that identifies foreign adversaries by name, a broadcaster is not conducting “due diligence” to ensure that the lessee has properly reported its status; rather, the broadcaster is applying the Commission’s rule to the facts to determine whether it must file a copy of the lessee’s disclosure in the Foreign Adversary Control System.<sup>151</sup>

42. *International broadcast station licenses.* We adopt our proposal to include international broadcast station (IBS) licenses within the scope of the attestation and disclosure rules, treating them consistently with other broadcast licenses, and place them in Schedules A and B, depending on the number of employees of the Regulatee. We assign to Schedule A international broadcast station licenses held by a Regulatee (or its affiliate) with six or more employees, and assign to Schedule B all other IBS licenses.<sup>152</sup> International broadcast stations engage in cross border communications that rely on receivers and audiences in foreign countries, which have made them targets for control by foreign entities. Any IBS licensee that receives an affirmative response under the Commission’s foreign sponsorship identification rules from a lessee that is a foreign adversary must file with the Commission the information the lessee provided to the broadcaster. If the broadcast licensee has fewer than six employees and receives an affirmative response under the Commission’s foreign sponsorship identification rules from a lessee that is a foreign adversary but the licensee itself does not meet the criteria for a “yes” attestation, then the broadcaster will fulfill its duties under Schedule A by filing a copy of the lessee’s information with the Commission; the licensee will not be required to attest “no.” Consistent with the *Notice*, we find that the public interest will be served by requiring larger broadcasters and those with Foreign Adversary Control to provide more accurate information about foreign adversary interests. We received no comment adverse to adoption of this proposal.

43. *Section 325(c) authorizations.* We adopt our proposal to include section 325(c) authorizations within the scope of the attestation and disclosure rules, and place them in Schedules A and B, depending on the number of employees of the authorization holder, as section 325(c) authorizations are subject to the same criteria for meeting the programming standards component of the public interest, convenience, and necessity requirement as domestic broadcast licensees.<sup>153</sup> Consistent with the *Notice*, we find that the public interest will be served by requiring larger broadcasters and those with Foreign Adversary Control to provide more accurate information about foreign adversary interests. We received no comment adverse to adoption of this proposal.

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broadcasters must make and what information they must disclose about sponsors of broadcast material. Broadcasters could be required to ask restaurant sponsors whether they face pending investigations from local health departments or contractors sponsoring broadcast material whether they have paid fines to state or local home improvement regulators and make related disclosures”).

<sup>151</sup> See *id.* at 21-22 (“A broadcaster’s statutory obligation to identify the entity that has sponsored a program . . . does not extend to making inquiries about, doing research on, or disclosing various characteristics about that sponsor beyond the sponsor’s identity.”). This modest requirement is wholly distinguishable from the judicially vacated due diligence requirement that broadcasters must “[i]ndependently confirm the sponsor’s status, at both the time of the lease and the time of any renewal, by checking the Department of Justice’s Foreign Agents Registration Act website and the FCC’s U.S.-based foreign media outlets reports.” *National Ass’n of Broadcasters v. FCC*, 39 F.4th 817, 819 (D.C. Cir. 2022).

<sup>152</sup> For definitions relevant to the count of employees, see 47 CFR § 73.2080(e); *supra* para. 38 & n.136.

<sup>153</sup> See, e.g., *Fox Television Stations, Inc.*, Memorandum Opinion and Order, 11 FCC Rcd 14870, 14875-78, paras. 16-25 (D.C. Cir. 1996), *aff’d sub nom., Radio Television S.A. de C.V. et al. v. FCC*, 130 F.3d 1078 (D.C. Cir. 1997); see also *Application of American Broadcasting Cos., Inc., (ABC) for Renewal of Authority to Deliver Network Television Programs to Station XETV, Tijuana, Mexico*, Docket No. 18606, File No. BFP-381, Decision, 35 F.C.C.2d 1, 5-6, para. 9 (1972).

e. Submarine Cables

44. *Submarine cable landing licenses.* We adopt our proposal to include submarine cable landing licenses within the scope of the attestation and disclosure requirements, and place them in Schedule A.<sup>154</sup> We require all submarine cable landing licensees and applicants to certify whether or not they are subject to Foreign Adversary Control because submarine cables are critical to national security.<sup>155</sup> In the *Submarine Cable Report and Order*, we took action to protect the security, integrity, and resilience of this critical infrastructure by adopting certain information requirements, certification requirements, conditions, and prohibitions that will enable the Commission to identify and mitigate foreign adversary threats.<sup>156</sup> Among other things, we adopted a new Foreign Adversary Annual Report requirement that will enable the Commission to identify existing cable landing licensees—whose license was or is granted prior to the effective date of those new rules—that are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.<sup>157</sup> We also adopted a new certification requirement that will require an applicant to certify whether or not it exhibits any of the criteria set out in a presumptive disqualifying condition, including whether it is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.<sup>158</sup> While the Commission took significant steps, the new submarine cable rules will, however, leave a critical information gap. Importantly, while our rules require entities that own or control 5% or greater interest in the cable system and use the U.S. points of the cable system to become cable landing licensees,<sup>159</sup> we did not adopt a requirement that any licensee

<sup>154</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3746-47, para. 34. No comments in the record address how best to receive certification and reporting from cable landing licensees.

<sup>155</sup> Submarine cables serve as the foundation for the global Internet infrastructure and carry over 99% of transoceanic digital communications. *Review of Submarine Cable Landing License Rules and Procedures to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks; Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules*, OI Docket No. 24-523, MD Docket No. 24-524, Notice of Proposed Rulemaking, 39 FCC Rcd 12730, 12763, para. 45 (2024) (*2024 Cable Notice*); Mary Jander, *Internet Growth Fuels Undersea Cable Race*, Futuriom (Feb. 23, 2021), <https://www.futuriom.com/articles/news/whats-happening-in-submarine-cable/2021/02>; Jill C. Gallagher, Cong. Research Serv., R47237, *Undersea Telecommunication Cables: Technology Overview and Issues for Congress* at 1 (Sept. 13, 2022), <https://crsreports.congress.gov/product/pdf/R/R47237>. Submarine cables are also critical infrastructure that historically have carried more than 95% of all U.S.-international voice, data, and Internet traffic, including civilian and military U.S. Government traffic. *2024 Cable Notice*, 39 FCC Rcd at 12763-64, para. 45; *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, Report and Order, 32 FCC Rcd 8115, 8129, para. 28 (2017); see Communications, Security, Reliability, and Interoperability Council (CSRIC) IV, Working Group 8 Submarine Cable Routing And Landing, Final Report—Protection of Submarine Cables Through Spatial Separation at 1 (2014), [http://transition.fcc.gov/pshs/advisory/csric4/CSRIC\\_IV\\_WG8\\_Report1\\_3Dec2014.pdf](http://transition.fcc.gov/pshs/advisory/csric4/CSRIC_IV_WG8_Report1_3Dec2014.pdf).

<sup>156</sup> See generally *Submarine Cable Report and Order*.

<sup>157</sup> In the *Submarine Cable Report and Order*, we adopted a new routine condition requiring a cable landing licensee whose license was or is granted prior to the effective date of the new rules to file a Foreign Adversary Annual Report if such licensee meets one or more of the criteria specified therein, including a licensee that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in section 1.70001(g) of the newly adopted rules. *Id.* at \*53, 66-67, paras. 140, 179, 181. Such licensees will be required to file an annual report containing (1) information as required in section 1.70005(a) through (g), (i), and (m) of the newly adopted rules, and (2) certifications as set forth under section 1.70006 of the newly adopted rules. *Id.*

<sup>158</sup> We adopted rules requiring an applicant seeking a cable landing license or modification, assignment, transfer of control, or renewal or extension of a cable landing license to certify whether or not it exhibits any of the criteria set out in the foreign adversary presumptive disqualifying condition adopted therein, including whether it is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in section 1.70001(g) of the newly adopted rules. *Id.* at \*13-15, 41, paras. 30-35, 103; 47 CFR § 1.70001(g).

<sup>159</sup> 47 CFR § 1.767(h)(2).

that is subject to the Foreign Adversary Annual Report requirement provide up-to-date ownership information,<sup>160</sup> or disclose their 5% or greater interest holders annually.<sup>161</sup> Additionally, our rules do not require all other licensees to attest whether or not they are subject to Foreign Adversary Control.<sup>162</sup> We assess that including cable landing licenses within the scope of the attestation and disclosure requirements set out in Schedule A supplements the new submarine cable rules and ensures the Commission has the information necessary for the protection and security of submarine cables.

45. Our action today, combined with the rules adopted in the *Submarine Cable Report and Order*, takes further steps to ensure the Commission has complete information to address foreign adversary threats to critical submarine cable infrastructure. The Commission will receive timely notification of ownership changes such as when a cable landing licensee becomes subject, or is no longer subject, to Foreign Adversary Control, or where a licensee with reportable Foreign Adversary Control has a new 5% or greater interest holder.<sup>163</sup> While a narrow subset of cable landing licensees will be required to attest in the initial attestation requirement adopted here and in the Foreign Adversary Annual Report as to whether or not they are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,<sup>164</sup> we believe any burden of this additional reporting is outweighed by the benefit of obtaining accurate, consistent, and up-to-date foreign adversary ownership information.<sup>165</sup> We therefore find that requiring submarine cable landing licensees and applicants to submit an attestation under Schedule A will enable the Commission to have comprehensive and accurate insight into any Foreign Adversary Control of cable landing licenses and to verify that licensees are in compliance with the Foreign Adversary Annual Report requirement.

**f. Telephone and Common Carrier**

46. *Domestic section 214 authority.* We adopt our proposal to include authorizations to provide domestic interstate telecommunications service pursuant to section 214 of the Act within the scope of the attestation and disclosure rules,<sup>166</sup> and place them in Schedule A. Section 214(a) prohibits any carrier from constructing, acquiring, or operating any line, and from engaging in transmission through

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<sup>160</sup> See *infra* Section III.B. While we adopted a one-time information collection that will require cable landing licensees to provide certain information—such as updated information about the licensed submarine cables and licensees, information about submarine line terminal equipment (SLTE), and information as to whether or not the licensee currently uses any equipment or services identified on the Covered List, or uses a third-party foreign adversary service providers—that collection will not require licensees to provide up-to-date ownership information. *Submarine Cable Report and Order* at \*76-78, paras. 214-222.

<sup>161</sup> In the *Submarine Cable Report and Order*, we considered but declined to lower the current 10% ownership reporting threshold to 5% or greater direct or indirect equity and/or voting interests in the applicant(s) and licensee(s). *Id.* at \*37, para. 89. Instead, we retained the rule for applicants to identify the 10% or greater direct and indirect equity and/or voting interests held in the applicants. *Id.* We assessed that national security risks are best addressed through the certifications adopted regarding whether the applicant is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. *Id.* Pursuant to this *Report and Order*, we will apply a 5% ownership disclosure requirement to a submarine cable applicant that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in section 1.70001(g) of the newly adopted rules, but will apply the 10% ownership threshold for all other applicants seeking a cable landing license or modification, assignment, transfer of control, or renewal or extension of a cable landing license. See *infra* Section III.B.

<sup>162</sup> *Submarine Cable Report and Order* at \*66-67, paras. 179, 181-182.

<sup>163</sup> See *infra* Section III.B.

<sup>164</sup> See *infra id.*; *Submarine Cable Report and Order* at \*53, 66-67, paras. 140, 179, 181.

<sup>165</sup> We do not modify in this proceeding the information content requirements for the Foreign Adversary Annual Report that are set forth in section 1.70017 of our newly adopted rules. *Submarine Cable Report and Order* at \*138, Appx. A (§ 1.70017).

<sup>166</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3747-48, para. 35 (citing 47 U.S.C. § 214(a)).



any such line, without first obtaining a certificate from the Commission “that the present or future public convenience and necessity require or will require the construction, or operation, or construction and operation, of such . . . line . . . .”<sup>167</sup> The Commission has emphasized that it takes seriously this mandate to ensure that the operation of telecommunications lines furthers the public convenience and necessity both presently and in the future.<sup>168</sup> While the Commission has granted all telecommunications carriers blanket authority under section 214 to provide domestic interstate services and to construct or operate any domestic transmission line, it retains full authority to protect the present and future public convenience and necessity and stop abusive practices by domestic carriers, including through revocation of such blanket authority when necessary.<sup>169</sup> It is therefore imperative that the Commission exercise its authority to review and ensure that the public convenience and necessity continue to be served by a domestic carrier’s operations, particularly as it relates to the promotion and protection of national security. In light of heightened threats to the nation’s telecommunications infrastructure, we find that the public interest will be served by applying the same attestation and disclosure requirements we adopt today for international section 214 carriers and others directly to carriers operating in the United States pursuant to blanket domestic section 214 authority. We emphasize that we are not requiring entry certification or pre-approval for domestic interstate carriers to construct, operate, or engage in transmission over lines of communications. The Commission has found that blanket authority promotes competition by removing regulatory hurdles to market entry, and we do not change that regulatory treatment here.<sup>170</sup>

47. No commenter disagrees with the inclusion of blanket domestic section 214 authorization holders within the scope of the attestation and disclosure rules. USTelecom affirmatively supports the requirements, while noting that it is important to minimize reporting burdens where possible.<sup>171</sup> To this end, we adopt the proposal in the *Notice* to identify carriers operating pursuant to blanket domestic section 214 authority through the existing registration requirement for interstate telecommunications providers that is associated with the FCC Form 499-A and section 64.1195 of the Commission’s rules.<sup>172</sup> Section 64.1195 directs a telecommunications carrier that will provide interstate telecommunications service to file certain registration information on FCC Form 499-A, and states that any telecommunications carrier already providing interstate telecommunications service must do the same.<sup>173</sup> We require domestic interstate carriers subject to section 64.1195 to comply with the foreign adversary attestation and disclosure requirements. We do not require them to otherwise register or provide

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<sup>167</sup> 47 U.S.C. § 214(a).

<sup>168</sup> See *Evolving Risks Notice*, 38 FCC Rcd at 4364-65, para. 29.

<sup>169</sup> *Implementation of Section 402(b)(2)(A) of the Telecommunications Act of 1996; Petition for Forbearance of the Independent Telephone & Telecommunications Alliance*, CC Docket No. 97-11, AAD File No. 98-43, Report and Order in CC Docket No. 97-11, and Second Memorandum Opinion and Order in AAD File No. 98-43, 14 FCC Rcd 11364, 11365-66, 11373, paras. 2, 14 (1999) (*Domestic 214 Blanket Authority Order*); 47 CFR § 63.01 (“Any party that would be a domestic interstate communications common carrier is authorized to provide domestic, interstate services to any domestic point and to construct or operate any domestic transmission line as long as it obtains all necessary authorizations from the Commission for use of radio frequencies.”).

<sup>170</sup> *Domestic 214 Blanket Authority Order*, 14 FCC Rcd at 11372, 11374, paras. 12, 16.

<sup>171</sup> USTelecom Reply at 1-2.

<sup>172</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3747-48, para. 36 (citing 47 CFR § 64.1195).

<sup>173</sup> *Id.* at 3747-48, para. 36 & n.80 (explaining that a telecommunications carrier that is subject to the registration requirement in section 64.1195 must provide (1) the carrier’s business name and primary address; (2) the names and business addresses of the carrier’s chief executive officer, chairperson, and president, or, in the event that a company does not have such executives, three similarly senior-level officials of the company; (3) the carrier’s regulatory contact and/or designated agent; (4) all the names the carrier has used in the past; and (5) the states in which the carrier provides telecommunications service). Updated registration data is available at <https://apps.fcc.gov/cgb/form499/499a.cfm>.

additional identifying information other than what they already provide through the FCC Form 499-A process prior to complying with the new requirements.<sup>174</sup>

48. *Eligible Telecommunications Carriers.* We adopt our proposal to include Eligible Telecommunications Carriers (ETCs) within the scope of our attestation and disclosure rules, and place them in Schedule A. We explained in the *Notice* that while section 214(e) grants primary jurisdiction for ETC designations and relinquishments to the states,<sup>175</sup> where a state does not have jurisdiction over a carrier, the Commission is able to designate ETCs under section 214(e)(6), and all ETCs are subject to federal Universal Service Fund rules enacted by the Commission.<sup>176</sup> ETCs receiving Lifeline support and/or high cost support are generally required to offer voice telephony services,<sup>177</sup> and we find that, like other providers operating and serving customers in the U.S., it is necessary to ensure we can protect communications networks and the public interest by bringing them within the scope of the rules we adopt today. We received no comment regarding the inclusion of ETCs within the scope of our Foreign Adversary Control rules.

49. *International section 214 authorizations.* We adopt our proposal to include international section 214 authorizations within the scope of the attestation and disclosure rules, and place them in Schedule A. Given that international section 214 authorizations are critical to national security, we need maximum transparency about any Foreign Adversary Control over such authorization holders.<sup>178</sup> In recent years, for example, the Commission found that significant national security and law enforcement risks were associated with certain carriers' retention of section 214 where the carrier was controlled by a foreign adversary.<sup>179</sup> In April 2023, the Commission adopted the *Evolving Risks Order* that required all

<sup>174</sup> We also note that to the extent domestic wireline carriers also hold an international section 214 authorization, they will already be tracking their existing ownership percentages. See 47 CFR § 63.18. In addition, domestic wireline carriers seeking authority to transfer control pursuant to section 214 must disclose the name, address, citizenship, and principal business of any person or entity that directly or indirectly owns 10% or more of the equity interests and/or voting interests, or a controlling interest, of the applicant. *Id.* § 63.04(a)(4).

<sup>175</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3748, para. 37 (citing 47 U.S.C. § 214(e)).

<sup>176</sup> 47 U.S.C. §§ 214(e)(6), 254(e); 47 CFR § 54.201.

<sup>177</sup> See 47 CFR §§ 54.101, 54.201; *Lifeline and Link Up Reform and Modernization et al.*, WC Docket Nos. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 4078-4093, paras. 324-60 (2016). For VoIP providers that are also designated as ETCs, the Commission has consistently recognized that although the Commission has not broadly addressed the statutory classification of interconnected VoIP as a general matter, a provider may offer VoIP on a Title II basis if it voluntarily "holds itself out as a telecommunications carrier and complies with appropriate federal and state requirements." *IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36 and 05-196, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, 10268, para. 38 n.128 (2005), *aff'd sub nom. Nuvio Corp. v. FCC*, 473 F.3d 302 (D.C. Cir. 2006); see also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 18143-44, para. 1389 ("[S]ome providers of facilities-based retail VoIP services state[d] that they are providing those services on a common carrier basis . . .").

<sup>178</sup> No comment in the record addresses how best to receive attestation and disclosure from international section 214 authorization holders.

<sup>179</sup> In the *China Telecom Americas Revocation Order*, *China Unicom Americas Revocation Order*, and *Pacific Networks/ComNet Revocation Order*, the Commission found, among other things, that the significant national security and law enforcement risks associated with those entities' retention of their section 214 authority "pose a clear and imminent threat to the security of the United States," including "numerous opportunities to access, monitor, store, disrupt, and/or misroute U.S. communications in ways that are not authorized and that can facilitate espionage and other activities harmful to U.S. national security and law enforcement interests." See *China Telecom Americas Revocation Order*, 36 FCC Rcd at 16008, para. 65, *aff'd*, *China Telecom (Ams.) Corp. v. FCC*; *China Unicom Americas Revocation Order*, 37 FCC Rcd at 1530, para. 74, *aff'd*, *China Unicom (Ams.) Operations Ltd. v.*

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international section 214 authorization holders to respond to a one-time information collection to update the Commission's records regarding their foreign ownership, including foreign adversary ownership, given the Commission had incomplete and outdated information.<sup>180</sup> Our action today takes further steps to improve the Commission's insight into threats by foreign adversary-controlled entities to critical communications infrastructure.

50. We assess that applying the attestation and disclosure rules adopted herein would address a critical gap in the Commission's knowledge regarding Foreign Adversary Control of international section 214 authorization holders and applicants. Although section 63.18(h) of the rules sets out certain ownership disclosure requirements (including a 10% disclosure threshold) for international section 214 applications,<sup>181</sup> those requirements do not capture whether an applicant is "controlled by, or subject to the jurisdiction or direction of a foreign adversary."<sup>182</sup> Similarly, while the Commission obtained updated foreign ownership information, including foreign adversary ownership, through the one-time collection for international section 214 authorization holders, the information collection was based on the requirements set forth in section 63.18(h),<sup>183</sup> and thus did not collect information on whether an authorization holder is "controlled by, or subject to the jurisdiction or direction of a foreign adversary"<sup>184</sup> or 5% ownership of those subject to Foreign Adversary Control.<sup>185</sup> Additionally, the ownership information provided to the Commission is dated as of December 2023 and may not reflect current

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*FCC; Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4287, para. 74, *aff'd*, *Pac. Networks Corp. v. FCC*; *see generally Evolving Risks Order and NPRM*.

<sup>180</sup> *Evolving Risks Order*, 38 FCC Rcd at 4359-62, paras. 1, 16-23; *see id.* at 4361, para. 20.

<sup>181</sup> The Commission's rules require that any person or entity that seeks to provide U.S.-international common carrier telecommunications service must obtain prior Commission approval pursuant to section 214 of the Act by filing with the Commission an application that contains information required by section 63.18 of the Commission's rules. 47 CFR § 63.18; *see* 47 U.S.C. § 214; 47 CFR §§ 63.21, 63.22, 63.23. An applicant for international section 214 authority must identify, among other things, "[t]he name, address, citizenship, and principal businesses of any individual or entity that directly or indirectly owns ten percent or more of the equity interests and/or voting interests, or a controlling interest, of the applicant, and the percentage of equity and/or voting interest owned by each of those entities (to the nearest one percent)." 47 CFR § 63.18(h)(1). Applicants seeking an assignment or transfer of control of an international section 214 authorization are also subject to the ownership disclosure requirement in section 63.18(h) pursuant to section 63.24 of the Commission's rules. *See id.* §§ 63.24, 63.18(h). With certain exceptions, the Commission generally will refer to the Committee for the Assessment of Foreign Participation in the U.S. Telecommunications Services Sector (Committee) applications for international section 214 authorizations and applications to assign, transfer control of, or modify such authorizations, among other things, where the applicant has reportable foreign ownership. *Id.* § 1.40001(a).

<sup>182</sup> *Id.* § 1.70001(g); *see Submarine Cable Report and Order* at \*119, Appx. A (§ 1.70001(g)); *see supra* Section III.A.1.

<sup>183</sup> *Evolving Risks Order*, 38 FCC Rcd at 4360-61, paras. 18, 20. Specifically, the Commission directed each international section 214 authorization holder to identify its 10% or greater direct or indirect foreign interest holders that hold such equity and/or voting interests (reportable foreign ownership) as of thirty (30) days prior to the filing deadline. *Id.* at 4360, para. 18.

<sup>184</sup> 47 CFR § 1.70001(g); *see Submarine Cable Report and Order* at \*119, Appx. A (§ 1.70001(g)); *see supra* Section III.A.1.

<sup>185</sup> Pursuant to this *Report and Order*, we will apply a 5% ownership disclosure requirement to an applicant as discussed below that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in section 1.70001(g) of the newly adopted rules, but will apply the 10% ownership threshold for all other applicants seeking an international section 214 authorization or modification, assignment, or transfer of control of international section 214 authorization. *See infra* Section III.B.

information.<sup>186</sup> Furthermore, that information collection was a one-time collection, and the Commission has not adopted new rules in that proceeding, including any ongoing reporting requirement.<sup>187</sup> Therefore, we conclude that applying the new attestation and disclosure requirements will fill this information gap by providing comprehensive and up-to-date information on whether any international section 214 authorization holders and applicants are subject to Foreign Adversary Control. Moreover, we find that requiring these entities to submit an attestation under Schedule A will enable the Commission to have comprehensive and accurate insight into any Foreign Adversary Control of international section 214 authorization holders. We find that international telecommunications services subject to section 214 of the Communications Act are critical to national security, and therefore, maximum transparency about these authorization holders is necessary.

51. *VoIP direct access to numbering resources authorizations.* We adopt our proposal to include interconnected Voice over Internet Protocol (VoIP) direct access to numbering resources authorizations within the scope of our attestation and disclosure rules, and place them in Schedule A.<sup>188</sup> Interconnected VoIP providers with this authorization may access North American Numbering Plan (NANP) telephone numbers directly from the Numbering Administrators, rather than through intermediary providers.<sup>189</sup> The Commission has found that this benefits both competition and consumers, improves responsiveness in the number porting process, and increases visibility and accuracy of number utilization, enabling the Commission to more effectively protect the nation's finite numbering resources.<sup>190</sup> The VoIP direct access authorization also enhances the Commission's ability to enforce rules governing interconnected VoIP providers, and helps stakeholders and the Commission identify the sources of call routing, including by allowing providers to determine more easily with whom they are exchanging traffic.<sup>191</sup> Since 2023, the Commission has also required the disclosure of ownership and control by entities applying for the VoIP numbering authorization, enabling greater transparency into who is seeking access to numbering resources and whether foreign ownership is involved, especially to the extent that it could facilitate illegal robocalling from sources outside the United States.<sup>192</sup> While

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<sup>186</sup> See *Evolving Risks Order*, 38 FCC Rcd at 4360, para. 18; Federal Communications Commission, Review of International Authorizations to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks; Amendment of the Schedule of Application Fees, 88 Fed. Reg. 85514 (Dec. 8, 2023); *The Office of International Affairs Announces the Opening of the One-Time Information Collection Filing Window for International Section 214 Authorization Holders to Provide Foreign Ownership Information*, IB Docket No. 23-119, MD Docket No. 23-134, Public Notice, 38 FCC Rcd 11841, 11841 n.1 (OIA 2023).

<sup>187</sup> See, e.g., *Evolving Risks Notice*, 38 FCC Rcd at 4350, 4411-14, paras. 4, 146-155 (proposing to require authorization holders to provide updated ownership information, cross border facilities information, and other information every three years).

<sup>188</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3749, para. 39.

<sup>189</sup> See *Numbering Policies for Modern Communications et al.*, WC Dockets No. 13-97 et al., Report and Order, 30 FCC Rcd 6829 (2015), *appeal dismissed*, *NARUC v. FCC*, 851 F.3d 1324 (D.C. Cir. 2017) (*VoIP Direct Access First Report and Order*); *VoIP Direct Access Second Report and Order and Second Further Notice*, 38 FCC Rcd at 8992, para. 81. The Commission's rules require interconnected VoIP providers seeking to obtain numbering resources to comply with both the requirements applicable to telecommunications carriers seeking to obtain numbering resources and certain interconnected VoIP-specific requirements for applying for, and maintaining, a Commission authorization for direct access to numbering resources, including providing certifications related to an applicant's technical, managerial, and financial capacity to provide service and comply with multiple Commission requirements. *VoIP Direct Access First Report and Order*, 30 FCC Rcd at 6844, para. 13; 47 CFR § 52.15(g).

<sup>190</sup> *VoIP Direct Access First Report and Order*, 30 FCC Rcd at 6845-48, paras. 15-19.

<sup>191</sup> *Id.* at 6845-46, para. 16.

<sup>192</sup> *VoIP Direct Access Second Report and Order and Second Further Notice*, 38 FCC Rcd at 8962-66, paras. 19-23. The Commission has proposed applying these same requirements to all existing VoIP direct access authorizations

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interconnected VoIP providers with direct access to numbers comply with specific rules that allow the Commission to protect the public interest,<sup>193</sup> we estimate that VoIP providers that do not also provide telecommunications service likely do not hold any other Commission licenses or authorizations that would require them to make the same foreign adversary attestation and disclosures we adopt here for all other communications providers operating in the United States.<sup>194</sup> Like other communications providers, VoIP providers subject to Foreign Adversary Control that directly access U.S. numbering resources in order to provide their service could pose an unacceptable risk to national security.<sup>195</sup> We therefore find that it is in the public interest to require interconnected VoIP direct access authorization holders to comply with the attestation and disclosure rules we adopt today. No commenter opposes this requirement, and we find that there are no reasons why these providers could not comply with the requirements in the same manner as other Covered Authorization holders.

**g. Other**

52. *FCC auction applications.* We adopt our proposal to include applications to participate in an FCC auction within the scope of the attestation and disclosure rules, and place them in Schedule C.<sup>196</sup> We received no comment on our proposal to include auction applications within the scope of these rules. Generally, the Commission's auctions are only the first part of a two-stage application and review process, in which parties initially apply to participate in the auction and, if successful in the bidding, subsequently apply for a spectrum license, construction permit, or universal service support.<sup>197</sup> Current Commission regulations require all applicants to participate in any Commission auction to certify under penalty of perjury their compliance with Commission rules applicable to winning bidders that apply for spectrum licenses or universal service support.<sup>198</sup> Thus, any applicant to participate in an auction that is

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holders, in addition to entities that have applied for the authorization since the 2023 effective date of the *VoIP Direct Access Second Report and Order*. *Id.* at 8991-93, paras. 80-85.

<sup>193</sup> See 47 CFR § 52.15(g).

<sup>194</sup> The Commission has not addressed the regulatory classification of interconnected VoIP service or interconnected VoIP service providers. See *Advancing IP Interconnection et al.*, WC Docket Nos. 25-304 et al., Notice of Proposed Rulemaking, FCC 25-73, at 27-35, paras. 65-81 (2025); *IP-Enabled Services*, WC Docket No. 04-36, Notice of Proposed Rulemaking, 19 FCC Rcd 4863 (2004).

<sup>195</sup> *VoIP Direct Access Third Further Notice* at 15, para. 30.

<sup>196</sup> See Section III.A.2 (discussing reasons for placing Covered Authorizations in Schedule C).

<sup>197</sup> See, e.g., *Auction of Flexible-Use Service Licenses in the 3.7–3.98 GHz Band for Next-Generation Wireless Services*, AU Docket 20-25, Public Notice, 35 FCC Rcd 8404, 8409-10, paras. 13-16 (2020) (*Auction 107 Procedures PN*) (application process in a spectrum license auction); *Auction of Construction Permits for Full Power Television Licenses*, AU Docket 21-449, Public Notice, 37 FCC Rcd 1155, 1159-1160, paras. 11-13 (OEA-MB 2022) (application process in a television construction permit auction); *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020*, AU Docket 20-34, Public Notice, 35 FCC Rcd 6077, 6088-89, paras. 27-29 (2020) (*RDOF Auction Procedures PN*) (application process in a universal service support auction).

<sup>198</sup> 47 CFR § 1.2105(a)(2)(v)-(vi) (required spectrum license auction certifications that “the applicant is legally, technically, financially and otherwise qualified pursuant to section 308(b) of the Communications Act of 1934, as amended; . . . is in compliance with the foreign ownership provisions of section 310 of the Communications Act of 1934, as amended; [or has pending a request from relief thereof] . . . [and] is and will, during the pendency of its application(s), remain in compliance with any service-specific qualifications applicable to the licenses on which the applicant intends to bid including, but not limited to, financial qualifications [unless the Commission alternatively provides that certification that] the applicant will, following grant of a license, come into compliance with certain service-specific rules, including, but not limited to, ownership eligibility limitations.”); *id.* § 1.21001(b) (requiring universal service support competitive bidding certification “that the applicant is in compliance with all statutory and regulatory requirements for receiving the universal service support that the applicant seeks, or, if expressly allowed by the rules specific to a high-cost support mechanism, a certification that the applicant acknowledges that it must be in compliance with such requirements before being authorized to receive support”).

not in compliance with those rules, including the applicable rules regarding attestation and disclosure with respect to foreign adversary involvement, cannot truthfully complete an auction application consistent with the certification requirement.<sup>199</sup> Following an auction, all winning bidders will be subject to the applicable attestation and disclosure requirements for Commission licensees and recipients of universal service support, protecting against the risk of foreign adversary influence.<sup>200</sup>

53. Placing auction applications on Schedule C and waiting until winning bidders are identified to collect additional information, if necessary, is consistent with the Commission's long-standing approach to auction applications, which values ease of entry at the short-form stage.<sup>201</sup> Pre-auction certification combined with post-auction verification enables the Commission to expeditiously process auction applications, through initial review and correction, to competitive bidding, without the delay that could arise from any potential review of additional disclosures, which might not provide any corresponding benefit. As noted, Commission regulations already require applicants to provide substantial information regarding ownership.<sup>202</sup> By placing auction applications on Schedule C we minimize duplicative regulation and prioritize efficiency.

54. *Equipment authorization certifications.* With an exception for Regulatees obtaining an Authorization under the Supplier's Declaration of Conformity (SDoC) discussed below, we adopt our proposal to include equipment authorization certifications within the scope of the attestation and disclosure rules, and place them in Schedule A. We find that requiring disclosure of Foreign Adversary Control by holders and applicants of such certifications is necessary to minimize vulnerabilities and strengthen national security within the communications equipment supply chain, and ensure that the Commission has sufficient information to address evolving national security, law enforcement, foreign policy, and trade policy risks on a continuing basis. Requiring applicants for equipment certification to comply with the attestation and disclosure rules will help the Commission identify equipment that may warrant heightened scrutiny before it is made available for marketing, importation, and use within the United States. This approach is consistent with our implementation of similar information collection activities in other areas of the equipment authorization process.<sup>203</sup>

55. We place Covered Authorizations obtained solely under the SDoC process in Schedule C. We agree with CCIA's and ITI's suggestion that entities operating under the SDoC process presently "do not pose the same systemic risk as operators of public networks and direct-connectivity infrastructure."<sup>204</sup> For devices subject to SDoC, the responsible party must keep on file information that includes a

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<sup>199</sup> See *id.* § 1.2105(a)(2) (spectrum license and broadcast permit auction application certifications are under penalty of perjury), (b)(1)(i) (spectrum license and broadcast permit auction applications without required certifications are unacceptable for filing); *id.* § 1.2100(f)(2) (universal service support auction applications "cannot be corrected subsequent to the applicable deadline for submitting applications . . . [and those not including all certifications required] will be deemed incomplete and the applicant will not be found qualified to bid"); *RDOF Auction Procedures PN*, 35 FCC Rcd at 6089, para. 30 (required certifications made under penalty of perjury).

<sup>200</sup> See *supra* Section III.A.3 (discussing wireless and broadcast licenses, and Eligible Telecommunications Carriers receiving universal service support).

<sup>201</sup> For example, auction applicants identify the existence of agreements that subsequently may need to be disclosed but submit the contents of any relevant agreements only at the post-auction application stage. See, e.g., *Auction 107 Procedures PN*, 35 FCC Rcd at 8412-15, paras. 24-31 (describing disclosures required in auction application and noting additional detail required in any winning bidder's application for a license).

<sup>202</sup> See 47 CFR §§ 1.2112(a) (spectrum license auction application required ownership information), 1.21001(b)(1) (incorporating the same regulation for universal service support auction applications).

<sup>203</sup> See *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3652-58, paras. 76-89.

<sup>204</sup> CCIA Comments at 2; ITI Comments at 3 (suggesting that authorizations obtained under the SDoC process should be excluded "unless the equipment is designated as high risk"). At this time, we decline to place equipment authorizations under the SDoC process that are designated as high-risk within Schedule A.

compliance statement that lists a U.S.-based responsible party.<sup>205</sup> The SDoC process is “streamlined” in the sense that, unlike the equipment certification process, it does not require submission of applicable information to a Commission-recognized telecommunication certification body.<sup>206</sup> However, the Commission can specifically request that a responsible party provide compliance documentation or device samples as necessary.<sup>207</sup> The Commission already prohibits equipment that is produced by entities identified on the Covered List from obtaining SDoC authorization, requiring that any such equipment be authorized under our equipment certification procedures.<sup>208</sup> Thus, any equipment authorization application determined to pose a national security risk would already be subject to the broader Schedule A attestation and reporting of ownership for any equipment that requires authorization. When balanced against the burden of requiring attestations and disclosures for every SDoC authorization, we find that the adoption of the broader reporting requirements for equipment authorization certifications and applications combined with the existing SDoC safeguards (including prohibiting authorization of equipment produced by entities identified on the Covered list and requiring a responsible party located in the United States) provides sufficient protection against the risk of Foreign Adversary Control while preserving the streamlined nature of the SDoC process.

56. *Data Network Identification Codes.* We adopt our proposal to include Data Network Identification Codes (DNIC) within the scope of the attestation and disclosure rules, and place them in Schedule A.<sup>209</sup> DNICs raise important national security considerations.<sup>210</sup> The DNIC<sup>211</sup> is the central

<sup>205</sup> The responsible party is the party responsible for the compliance of the equipment with the applicable standards. 47 CFR §§ 2.909(b), 2.1077(a)(3).

<sup>206</sup> For example, while our rules require that the equipment authorized under the SDoC procedure must include a unique identifier the equipment is not listed in a Commission equipment authorization database. *Id.* § 2.1074. We observe that the format of “unique identifier” is at the responsible party’s discretion and has no correlation to a Commission-established FCC ID.

<sup>207</sup> The responsible party is required to retain records on the equipment that demonstrates compliance with the Commission’s requirements for that equipment. *Id.* § 2.938. The Commission may request these records and request equipment samples. *Id.* §§ 2.906(a), 2.945(b)-(c).

<sup>208</sup> *Id.* § 2.906(d).

<sup>209</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3750, para. 42. No comments in the record addressed how best to receive certification and reporting from DNIC holders.

<sup>210</sup> The Commission assigns DNICs under International Telecommunication Union ITU-T Recommendation X.121. 47 CFR §§ 1.10007(a), 1.10014(h); International Telecommunication Union, ITU-T Recommendation X.121 (10/2000), Series X: Data Networks and Open System Communications, Public data networks—Network aspects, International numbering plan for public data networks, <https://www.itu.int/rec/T-REC-X.121-200010-I/en> (ITU-T Recommendation X.121); *International Communications Policies Governing Designation of Recognized Private Operating Agencies, Grants of IRUs in International Facilities and Assignment of Data Network Identification Codes*, CC Docket No. 83-1230, Report and Order, 104 F.C.C.2d 208, 219, para. 13 & n.38 (1986) (1986 *International Communications Report and Order*); *International Communications Policies Governing Designation of Recognized Private Operating Agencies, Grants of IRUs in International Facilities and Assignment of Data Network Identification Codes*, CC Docket No. 83–1230, Order on Reconsideration, 2 FCC Rcd 7375 (1987); Federal Communications Commission, Information Collection Being Submitted for Review and Approval to Office of Management and Budget, 88 Fed. Reg. 42720 (July 3, 2023) (DNIC Federal Register Notice).

<sup>211</sup> DNICs are unique numerical codes designed to provide discrete identification of individual public data networks. *See International Communications Policies Governing Designation of Recognized Private Operating Agencies, Grants of IRUs in International Facilities and Assignment of Data Network Identification Codes*, CC Docket No. 83–1230, Notice of Inquiry, 95 F.C.C.2d 627, 629, para. 5 (1983) (1983 *International Communications Notice of Inquiry*); ITU-T Recommendation X.121 at 3-4, 33 (Subclauses 6, 7.1, and 7.2.1, Annex K); DNIC Federal Register Notice, 88 Fed. Reg. at 42721. Under ITU-T Recommendation X.121, the definition of a public data network will be interpreted in accordance with national laws and regulations. ITU-T Recommendation X.121 at 14 (Annex C); *see also id.* at 34 (Annex K) (stating “a network with the following properties is generally regarded as public”: a

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device of the international data numbering plan developed by the International Telecommunication Union (ITU) and is intended to identify and permit automated switching of data traffic to particular networks.<sup>212</sup> While operators of public data networks must provide to the Commission information about the network and the service(s) and/or application(s) for which a DNIC will be used,<sup>213</sup> the Commission currently does not obtain information about their ownership or control. As a result, the Commission does not have up-to-date information as to whether DNIC holders are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, and lacks full visibility into the risks to U.S. critical communications infrastructure presented by such Foreign Adversary Control. We conclude that applying Schedule A to DNIC holders and applicants will enable the Commission to have comprehensive and accurate insight into any Foreign Adversary Control of such entities.

57. *International Signaling Point Codes.* We adopt our proposal to include International Signaling Point Codes (ISPC) within the scope of the attestation and disclosure rules, and place them in Schedule A.<sup>214</sup> ISPCs raise important national security considerations, as they are used at the international level for signaling message routing and identification of signaling points involved.<sup>215</sup> ISPCs are used, for example, by international SS7 gateways as addresses for routing domestic voice traffic to an international provider.<sup>216</sup> In recent years, the Commission found that significant national security risks

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network that is openly accessible to the general public and allows non-discriminatory access; a network which provides a basic carriage service; a network operated by the holder of a carrier or service license (where such requirements exist); and a network that has the capability to support connectivity (via a standard network to network interface protocol) to other networks for the purpose of routing of traffic between networks).

<sup>212</sup> 1986 *International Communications Report and Order*, 104 F.C.C.2d at 218, para. 12; DNIC Federal Register Notice, 88 Fed. Reg. at 42721; 1983 *International Communications Notice of Inquiry*, 95 F.C.C.2d at 650, para. 60. The assignment of a DNIC to a particular data network allows network switches throughout the world to recognize that network and to direct traffic to it. 1983 *International Communications Notice of Inquiry*, 95 F.C.C.2d at 629, para. 5.

<sup>213</sup> Currently, applicants seeking a DNIC must include in the application, among other things, a network diagram showing the international nature of the network; a description of the service(s)/application(s) for which the DNIC will be used (e.g., voice, SMS text messaging, or other applications); information showing that the applicant's network has the capability to efficiently interconnect with existing public data networks and the network also provides a capability for routing transit traffic; and a statement explaining how allocation of the code is necessary because alternative technical scenarios will not be sufficient. See DNIC Federal Register Notice; Federal Communications Commission, FCC Application for Data Network Identification Code, OMB Control No. 3060-1029 (FCC 245/DNC-NEW), <https://fccprod.servicenowservices.com/ibfs?id=app&subsystem=DNC&type=NEW>.

<sup>214</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3750, para. 43. No comments in the record address how best to receive certification and reporting from ISPC holders. The Commission, as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 (SS7) networks under International Telecommunication Union ITU-T Recommendation Q.708. 47 CFR §§ 1.10007(a), 1.10014(h); International Telecommunication Union, ITU-T Recommendation Q.708 (03/1999), Series Q: Switching and Signalling, Specifications of Signalling System No. 7 – Message transfer part (MTP), Assignment procedures for international signalling point codes, <https://www.itu.int/rec/T-REC-Q.708-199903-I/en> (ITU-T Recommendation Q.708).

<sup>215</sup> See ITU-T Recommendation Q.708 at 1 (Subclause 3.4). The ITU-T Recommendation Q.708 defines an international signaling point code as a “code with a unique 14-bit format used at the international level for [signaling] message routing and identification of [signaling] points involved.” *Id.* Such signaling points are within an SS7 switch. *Id.* For this reason, only carriers that operate their own switch would need a signaling point code. *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules*, Notice of Proposed Rulemaking, 19 FCC Rcd 6460, 6474, para. 36, n.83 (2004).

<sup>216</sup> *China Unicom Americas Revocation Order*, 37 FCC Rcd at 1561, para. 121 & n.548, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*; *Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4347-48, para. 157 & n.824, *aff'd*, *Pac. Networks Corp. v. FCC*; *China Telecom (Americas) Corporation*, GN Docket No. 20-109, File Nos. ITC-

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were associated with a carrier's use of an ISPC.<sup>217</sup> While applicants must provide certain information such as how the ISPC will be used and its location,<sup>218</sup> the Commission currently does not obtain information about their ownership or control. As a result, the Commission does not have up-to-date information as to whether ISPC holders are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, and lacks full visibility into the risks to U.S. critical communications infrastructure presented by such Foreign Adversary Control. We conclude that placing ISPC holders and applicants in Schedule A will enable the Commission to have comprehensive and accurate insight into any Foreign Adversary Control of such entities.

58. *Recognized Operating Agencies.* We adopt our proposal to include recognized operating agencies and applicants within the scope of the attestation and disclosure rules, and place them in Schedule A.<sup>219</sup> We will require all recognized operating agencies and applicants to certify whether or not they are subject to Foreign Adversary Control because designation of recognized operating agency status raises important national security considerations.<sup>220</sup> We therefore need maximum transparency about any

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214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Order Instituting Proceedings on Revocation and Termination and Memorandum Opinion and Order, 35 FCC Rcd 15006, 15040, para. 58 (2020).

<sup>217</sup> See *Pacific Networks/ComNet Revocation Order*, 37 FCC Rcd at 4347-48, para. 157 (finding significant national security and law enforcement risks with the companies' retention of their section 214 authority and that those same risks apply to ComNet (USA) LLC's use of its ISPCs); see also Letter from Denise Coca, Chief, Telecommunications and Analysis Division, FCC International Bureau, to Zhao-feng Ye, Xiaoyi Liu, China Telecom (Americas) Corporation, DA 20-1368 (Nov. 18, 2020) (on file in GN Docket No. 20-109, File Nos. SPC-NEW-20030314-00014, SPC-NEW-20100314-00006, SPC-NEW-20100326-00007, ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285); Letter from Denise Coca, Chief, Telecommunications and Analysis Division, FCC, International Bureau, to Robert E. Stup, Jr. and Paul C. Besozzi, Counsel for China Unicom (Americas) Operations Limited, DA 21-227 (Mar. 10, 2021) (on file in GN Docket No. 20-110, File Nos. SPC-NEW-20030730-00031, SPC-NEW-20031009-00040, SPC-New-20070112-00002, ITC-214-20020728-00361, ITC-214-20020724-00427).

<sup>218</sup> Currently, applicants seeking an ISPC must include in the application, among other things, a statement regarding the nature of the use of the ISPC(s) in the network; a network diagram that shows how the ISPC(s) will be used; a statement regarding the signaling point manufacturer/type; and the physical address where the ISPC(s) will be located. Federal Communications Commission, Information Collection Being Submitted for Review and Approval to Office of Management and Budget, 88 Fed. Reg. 43347 (July 3, 2023) (ISPC Federal Register Notice); Federal Communications Commission, FCC Application for an International Signaling Point Code (ISPC), OMB Control No. 3060-1028 (FCC 230/SPC-NEW), <https://fccprod.servicenowservices.com/ibfs?id=app&subsystem=SPC&type=NEW>.

<sup>219</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3750-51, para. 44. No comments in the record addressed how best to receive certification and reporting from recognized operating agencies.

<sup>220</sup> See International Telecommunication Union (ITU), Constitution and Convention of the International Telecommunication Union at Annex, para. 1007 (2022), <https://search.itu.int/history/HistoryDigitalCollection/DocLibrary/5.23.61.en.100.pdf> (ITU Constitution and Convention Annex) (defining "Operating Agency" as "[a]ny individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service"); *id.* at para. 1008 (defining "Recognized Operating Agency" as "[a]ny operating agency, as defined above, which operates a public correspondence or broadcasting service and upon which the obligations provided for in Article 6 of this Constitution are imposed by the Member State in whose territory the head office of the agency is situated, or by the Member State which has authorized this operating agency to establish and operate a telecommunication service on its territory"); see also FCC, Information Collection Being Submitted for Review and Approval to Office of Management and Budget, 88 Fed. Reg. 42719 (July 3, 2023) (ROA Federal Register Notice) (explaining that the term "recognized private operating agency" was used in the International Telecommunication Convention to refer to private-sector providers of international telecommunication services that had been "recognized" either by the

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Foreign Adversary Control of such entities. Any party requesting designation as a recognized operating agency within the meaning of the International Telecommunication Convention must file a request for such designation with the Commission.<sup>221</sup> While section 63.701 of the Commission's rules sets out certain ownership disclosure requirements for such applications,<sup>222</sup> those requirements do not capture whether an applicant is "controlled by, or subject to the jurisdiction or direction of a foreign adversary."<sup>223</sup> However, control, jurisdiction, or direction of a Regulatee by a foreign adversary would be directly relevant to the question of whether recognized operating agency status may present national security risks to critical U.S. communications infrastructure. The Commission does not have up-to-date information as to whether recognized operating agencies are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, and lacks full visibility into the risks that may be presented by any such Foreign Adversary Control. Therefore, we conclude that assigning recognized operating agencies and applicants to Schedule A is necessary to enable the Commission to have comprehensive and accurate insight into any Foreign Adversary Control of such entities and to inform the decision whether to recommend grant or denial of an applicant's request for such designation.

59. *Telecommunications Relay Services.* We adopt our proposal to include Internet-based Telecommunication Relay Services (TRS) certification applicants and holders within the scope of the attestation and disclosure rules and place them in Schedule A.<sup>224</sup> Currently, in an application for certification to provide Internet-based TRS, applicants must include a list of individuals or entities that hold at least a 10% equity interest in the applicant, have the power to vote 10% or more of the securities of the applicant, or exercise *de jure* or *de facto* control over the applicant.<sup>225</sup> In addition, proposed changes in ownership require a new application for certification, unless the new owner is already certified to provide Internet-based TRS.<sup>226</sup> We find that the public interest will be served by requiring entities holding or seeking certification to provide Internet-based TRS to provide more complete information about Foreign Adversary Control. No commenters disagreed with the inclusion of Internet-based TRS

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government of the country in which they had been incorporated, or the country where they operated, and that the term "recognized private operating agency" is interchangeable with the term "recognized operating agency (ROA)").

<sup>221</sup> 47 CFR §§ 1.10014(h), 63.701. Pursuant to sections 1.10014(h) and 63.701 of the rules, the Commission sends a letter to the Department of State recommending grant or denial of recognized operating agency status. *Id.* Recognized operating agencies may participate in the ITU. *See* ITU Constitution and Convention Annex at paras. 228-229; 1983 *International Communications Notice of Inquiry*, 95 F.C.C.2d at 635, para. 22 (explaining that "[recognized private operating agency] status gives such private entities an official status in the ITU . . . and allows such entities to contribute to the work of the ITU while reassuring the governmental members that the private entities will abide by the international regulations"); *see also* ROA Federal Register Notice, 88 Fed. Reg. at 42720.

<sup>222</sup> Any party requesting designation as a recognized operating agency must include in the application, among other things, "[a] statement of the ownership of a non-corporate applicant, or the ownership of the stock of a corporate applicant, including an indication whether the applicant or its stock is owned directly or indirectly by an alien." 47 CFR § 63.701.

<sup>223</sup> *Id.* § 1.70001(g); *Submarine Cable Report and Order* at \*119, Appx. A (§ 1.70001(g)); *see supra* Section III.A.1.

<sup>224</sup> *See Foreign Adversary Control Notice*, 40 FCC Rcd at 3751, para 45. TRS are "telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio . . . in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio." 47 U.S.C. § 225(a)(3); 47 CFR § 64.601(a)(48).

<sup>225</sup> 47 CFR § 64.606(a)(2)(ii)(B).

<sup>226</sup> *See Consumer and Governmental Affairs Bureau Clarifies the Transferability of Telecommunications Relay Service (TRS) Provider Certification*, CG Docket No. 03-123, Public Notice, 23 FCC Rcd 10438, 10438-39 (CGB 2008); *see also Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Second Report and Order and Order, 26 FCC Rcd 10898, 10918, para. 47 (2011) (reaffirming the ruling).

certification holders within the scope of the attestation and disclosure rules. The additional burdens to these entities are minimal and outweighed by the disclosure benefits to ensure we can protect our communications networks from foreign adversaries.

## **B. Attestation and Disclosure Requirements**

60. *Attestation.* We adopt new attestation and disclosure requirements for Schedule A and Schedule B Regulatees described herein, and exempt Schedule C Regulatees from the initial attestation requirement.<sup>227</sup> For all Regulatees holding Covered Authorizations listed in Schedule A or that have an application for a Covered Authorization listed in Schedule A pending before the Commission, we require an officer or other authorized representative of the Regulatee to submit an attestation to the Commission that it is or is not owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary (i.e., Foreign Adversary Control).<sup>228</sup> For Regulatees subject to Foreign Adversary Control holding Covered Authorizations listed in Schedule B or that have an application for a Covered Authorization listed in Schedule B pending before the Commission, we require an officer or other authorized representative of the Regulatee to attest affirmatively to Foreign Adversary Control. We decline to require Schedule B Regulatees that are not subject to Foreign Adversary Control to attest to that fact, and exempt Regulatees holding Covered Authorizations listed in Schedule C or that have an application for a Covered Authorization listed in Schedule C pending before the Commission from the initial attestation requirement altogether.<sup>229</sup> Finally, we require all Regulatees filing Foreign Adversary Control attestations to attest to the truth and accuracy of the attestation.

61. We find that adopting a sliding-scale approach to the application of our attestation and disclosure requirements, rather than a one-size-fits-all approach as proposed in the *Notice*,<sup>230</sup> effectively promotes the Commission's goal of promoting national security while also maximizing efficiency and reducing regulatory burdens. This tailored approach recognizes the differing risk levels of Foreign Adversary Control by type of authorization, and reduces unnecessary regulatory and administrative burdens in cases where the risk is relatively minimal. We agree with commenters that Foreign Adversary Control over Commission-granted licenses and authorizations does not pose the same risk to national security across all license and authorization types, and indeed, the likelihood of Foreign Adversary Control over certain lower risk license and authorization types is presently slim.<sup>231</sup>

62. We received support in the record for adopting the attestation requirement broadly across various Commission-issued license and authorization types.<sup>232</sup> As FDD notes, "[w]hile the FCC has targeted select sectors for greater scrutiny, such as equipment testing laboratories and submarine cables, these measures have not extended to other FCC-regulated markets, leaving an opening for the [Chinese Communist Party] to expand its influence."<sup>233</sup> By broadening the scope of our Foreign Adversary Control

<sup>227</sup> See *supra* Section III.A.2 (discussing Schedules of Covered Authorizations). We clarify that Regulatees holding a variety of Covered Authorizations listed in different Schedules will be required to comply with the requirements pertaining to the Schedule with more requirements. For example, a Regulatee holding both a Schedule A and a Schedule C license would be required to file a single Schedule A attestation covering all licenses held. A Regulatee holding both a Schedule B license and a Schedule C license would be required to file a single Schedule B attestation if the Regulatee is subject to Foreign Adversary Control.

<sup>228</sup> See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3752, para. 48.

<sup>229</sup> As noted below, we require all entities attesting that they are subject to Foreign Adversary Control, regardless of Schedule, to file additional disclosures about the nature of that Foreign Adversary Control, and additionally impose ongoing reporting requirements. See *infra* para. 67.

<sup>230</sup> See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3752, para. 48.

<sup>231</sup> See, e.g., ARRL Comments at 3.

<sup>232</sup> See, e.g., FDD Comments at 2, 5-6; FDD *Ex Parte* at 2; NWCC Comments at 2.

<sup>233</sup> FDD Comments at 1.

attestation requirements to reach a variety of license and authorization types, the Commission “will streamline efforts to prevent China and other foreign adversaries from accessing the nation’s telecommunications network, while preventing states, entities, and individuals from circumventing reporting requirements.”<sup>234</sup>

63. *Sliding-scale approach.* While we received assurance from some commenters that complying with an attestation requirement applicable to all Commission-issued licenses and authorizations would be feasible,<sup>235</sup> we received a fair number of comments that argue for a more nuanced and targeted approach. For example, CCIA, ITI, and NAB all advocate for “limit[ing] certification requirements to entities with actual or reportable foreign adversary ownership or control”<sup>236</sup> to avoid imposing an “undue burden, especially on entities with no nexus to national security concerns.”<sup>237</sup> As described in Section III.A.3, a variety of Regulatee stakeholders raise concerns that certain licenses and authorizations have little to no likelihood of Foreign Adversary Control, or that the risk to national security of Foreign Adversary Control of such licenses and authorizations is extremely limited. We recognize these concerns and thus adopt a more tailored approach to the attestation requirement by categorizing licenses and authorizations into three Schedules. We find that such a sliding-scale approach will reduce burdens on Regulatees whose potential Foreign Adversary Control poses less of a threat to national security, while preserving enhanced attestation and disclosure requirements for Regulatees where the threat is greater. We thus adopt our proposal to require Regulatees holding licenses and authorizations that would confer rights and privileges that would present a sizeable risk to national security should they be controlled by a foreign adversary to file “yes” or “no” attestations,<sup>238</sup> and impose less burdensome requirements on Regulatees holding licenses and authorizations where such risk is lower. We have also considered the balance of risks and burdens in structuring the reporting categories.

64. *Exemptions.* We exempt holders of Schedule C licenses or authorizations from the initial Foreign Adversary Control attestation requirement. As noted in Section III.A.2, Foreign Adversary Control over Schedule C licenses and authorizations is less likely, poses a less critical risk to national security, or poses a risk that is already mitigated by other Commission regulations, or the administrability burdens of requiring attestations from such entities substantially outweigh any transparency benefits. Nevertheless, as noted above, we require all Regulatees attesting to Foreign Adversary Control to provide the additional disclosures described in this Section.

65. We also exempt federally recognized Tribal Nations and businesses controlled by federally recognized Tribal Nations from the attestation and disclosure requirements adopted by this *Report and Order*. Federally recognized Tribal Nations are sovereign, domestic dependent nations, and the Commission through its long-standing policy statement recognizes a unique government-to-government relationship with them.<sup>239</sup> We also exempt state and local governmental licensees from our attestation and disclosure requirements, given that, by definition, these entities cannot be foreign

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<sup>234</sup> *Id.* at 2.

<sup>235</sup> See, e.g., NWCC Comments at 2 (“If the FCC determines to require certifications from all Regulatees, the NWCC FACs will file as required and will work with their members to promote compliance.”); USTelecom Reply at 2 (considering the Commission’s proposed approach to “minimiz[e] reporting burdens” by requiring only a “simple certification”).

<sup>236</sup> CCIA Comments at 2; see also ITI Comments at 4; NAB Comments at 9.

<sup>237</sup> ITI Comments at 4.

<sup>238</sup> FDD also argues that requiring filers to make either a positive or negative attestation “will be effective in building out a more comprehensive registry while also allowing for potential prosecution of claimants found to be falsifying submissions.” FDD *Ex Parte* at 2.

<sup>239</sup> *Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes*, Policy Statement, 16 FCC Rcd 4078 (2000).

adversaries or subject to Foreign Adversary Control.<sup>240</sup>

66. We decline to adopt any further exemptions at this time. CCIA and ITI request that we avoid imposing duplicative obligations on Regulatees that are already subject to mitigation agreements entered into with the Executive Branch agencies and with which compliance is a conditions of the license and/or authorization.<sup>241</sup> We find that the approach we adopt is sufficiently tailored to remove concerns of duplicative reporting, and thus decline to adopt a blanket exemption for such Regulatees. Existing mitigation agreements contain specific and varying commitments for each Regulatee, including with respect to reporting obligations.<sup>242</sup> While recent mitigation agreements may require reporting of certain ownership information to relevant national security agencies, for example,<sup>243</sup> such reporting obligations

<sup>240</sup> For example, wireless licensees that identify as “Governmental Entities, Tribal Nations, or Businesses controlled by Tribal Nations” in response to FCC Form 601, Question 14, are exempt for purposes of Foreign Adversary Control reporting. See FCC Form 601, <https://www.fcc.gov/sites/default/files/fcc-form-601.pdf>. Governmental licensees should be aware of the restrictions on the procurement and use of certain covered telecommunications equipment as a result of the John S. McCain National Defense Authorization Act of 2019 and subsequent legislation. In compliance with the FY 2019 NDAA, governmental agencies may not procure, obtain, extend, renew, or enter into a contract with certain covered telecommunications providers. The Commission maintains the list of communications equipment and services deemed threats to U.S. national security. See FCC, *List of Equipment and Services Covered by Section 2 of The Secure Networks Act* (July 23, 2025), <http://www.fcc.gov/supplychain/coveredlist>.

<sup>241</sup> See CCIA Comments at 3 (“CCIA urges the Commission not to impose multiple layers of disclosure requirements on licensees that already are subject to Team Telecom mitigation agreements. Instead, the FCC should coordinate with Team Telecom and relevant agencies to share licensee information about their ownership and control.”); ITI Comments at 4 (“For licensees already subject to Team Telecom mitigation agreements, we urge the Commission to avoid duplicative obligations. Instead, the FCC should coordinate with the Administration to share applicable ownership and control reporting, which will thereby streamline oversight while protecting sensitive information already reviewed under national security protocols”). The Commission, in its discretion, may refer applications, petitions, and other filings to the Executive Branch for review for national security, law enforcement, foreign policy, and/or trade policy concerns. 47 CFR § 1.40001(a). The Commission will generally refer to the Executive Branch applications filed for an international section 214 authorization and submarine cable landing license as well as an application to assign, transfer control of, or modify those authorizations and licenses where the applicant has reportable foreign ownership and petitions for section 310(b) foreign ownership rulings for broadcast, common carrier wireless, and common carrier satellite earth station licenses pursuant to sections 1.767, 63.18, 63.24, and 1.5000 through 1.5004 of the rules. *Id.* § 1.40001(a)(1). The Executive Branch agencies are either Members of or Advisors to the Committee created pursuant to Executive Order 13913. See Exec. Order No. 13,913, 85 Fed. Reg. 19643, 19643-44 (Sec. 3(b), (d)) (Apr. 8, 2020). The Department of Justice (DOJ), Department of Homeland Security (DHS), and the Department of Defense (DOD) also are known informally as “Team Telecom.” *Executive Branch Process Reform Order*, 35 FCC Rcd at 10929-30, para. 5.

<sup>242</sup> See *Executive Branch Process Reform Order*, 35 FCC Rcd at 10949, para. 59 (noting, prior to Executive Order 13913, that “[f]requently, the filing of an Executive Branch recommendation to the Commission is extended by time spent by the agencies to negotiate assurances from applicants to comply with the existing law enforcement assistance requirements and draft individualized mitigation agreements”); *id.* at 10932-34, paras. 11-14 (explaining that the Committee, at the conclusion of its review pursuant to Executive Order 13913, may recommend among other things that the Commission condition grant on the applicant’s compliance with standard or non-standard mitigation measures); see Exec. Order 13,913, 85 Fed. Reg. at 19643-44.

<sup>243</sup> See, e.g., Edge Cable Holdings USA, LLC et al., National Security Agreement with the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector at 23 (Dec. 13, 2024) (on file in File No. SCL-LIC-20221209-00036) (requiring written notice to DHS, DOJ, and DOD if “any single foreign entity or individual, other than those already identified, has or likely will obtain an ownership interest, whether direct or indirect, in the Licensees . . . above five (5) percent” or “if any foreign entity or individual, singly or in combination with other foreign entities or individuals, has or likely otherwise will gain either: (i) control, within the meaning of the definition sent forth in 47 C.F.R. § 63.09(b); or (ii) *de facto* or *de jure* control of the Licensees . . .”); GU Holdings Inc., National Security Agreement with the Committee for the Assessment of Foreign

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are not necessarily tailored to capture multi-faceted forms of Foreign Adversary Control, or whether and to what extent a Regulatee currently is or becomes subject to Foreign Adversary Control, such as the standard we apply to the attestation and disclosure requirements herein. We also note generally that the framework we establish by this *Report and Order* solely involves reporting requirements, and does not prohibit or limit the actual granting of Covered Authorizations.

67. *Additional disclosures.* We require any Schedule A, B, or C Regulatee that attests it is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary to further disclose to the Commission all 5% or greater direct or indirect equity and/or voting interests held in the Regulatee, as well as several other disclosures. Specifically, a Schedule A, B, or C Regulatee that attests it is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, must:

- (1) identify its 5% or greater direct or indirect equity and/or voting interest holders and controlling interest holders,<sup>244</sup> and include an ownership diagram that illustrates the Regulatee's vertical ownership structure,<sup>245</sup> specifically—
  - (a) for each reported natural person interest holder of a direct or indirect interest of 5% or greater, or a controlling interest, disclose name; address; the country or countries of citizenship; principal business(es); the percentage of equity and/or voting interest or a description (including any percentage) of the controlling interest, held directly or indirectly in the Regulatee; and
  - (b) for each reported entity (including a government entity) interest holder of a direct or indirect interest of 5% or greater, or a controlling interest, disclose name; address; the country under the laws of which the entity is organized and the country of the principal place of business and headquarters; type of entity and principal business(es); the percentage of equity and/or voting interest or a description (including any percentage) of the controlling interest, held directly or indirectly in the Regulatee;

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Participation in the United States Telecommunications Services Sector at 26-27 (Dec. 13, 2024) (on file in File No. SCL-LIC-20220715-00024).

<sup>244</sup> Specifically, we require that disclosure of ownership information must include the equity and voting interests and controlling interests as calculated through use of the requirements set out in section 63.18(h) of the Commission's rules. 47 CFR § 63.18(h)(1)(i)-(ii). Equity interests that are held by an individual or entity indirectly through one or more intervening entities shall be calculated by successive multiplication of the equity percentages for each link in the vertical ownership chain, regardless of whether any particular link in the chain represents a controlling interest in the company positioned in the next lower tier. *Id.* § 63.18(h)(1)(i). Voting interests that are held through one or more intervening entities shall be calculated by successive multiplication of the voting percentages for each link in the vertical ownership chain, except that wherever the voting interest for any link in the chain is equal to or exceeds 50% or represents actual control, it shall be treated as if it were a 100% interest. *Id.* § 63.18(h)(1)(ii). We find that applying a uniform methodology based on rules that currently apply to certain Regulatees will ensure consistency of information, provide clarity to Regulatees complying with the new attestation and disclosure requirements, and promote administrative efficiency.

<sup>245</sup> Specifically, we require that the Regulatee must include an ownership diagram consistent with the requirements set out in section 63.18(h) of the Commission's rules. *Id.* § 63.18(h)(2). The Regulatee shall provide an ownership diagram that illustrates its vertical ownership structure, including the direct and indirect equity and/or voting interests held by the individuals and entities identified pursuant to this disclosure requirement. *See id.* Every such individual or entity with equity and/or voting interests shall be depicted and all controlling interests must be identified. *See id.* If an individual or entity submits an attestation and additional disclosures as part of an application for a transfer of control or assignment, as discussed below, the ownership diagram shall include both the pre-transaction and post-transaction ownership of the Regulatee. *See id.*; *infra* para. 71.



- (2) identify the foreign adversary or foreign adversary country or countries the Regulatee is owned by, controlled by, or subject to the jurisdiction or direction of;
- (3) describe the nature of the foreign adversary ownership, control, jurisdiction, or direction to which the Regulatee is subject; and
- (4) attest to the truth and accuracy of all information.

Consistent with rules governing receiving approval of foreign ownership in broadcast, [common carrier](#), aeronautical en route, and aeronautical fixed [radio station](#) licensees and [common carrier spectrum lessees](#), to the extent that a Regulatee subject to this additional reporting requirement is an eligible U.S. public company, as that term is defined in section 1.5000(e) of the Commission's rules, we adopt the same standard as is found in that section governing what information the company shall use in identifying its 5% or greater direct or indirect interest holders, the citizenship(s) or place of organization of disclosable interest holders, and other information required by our Foreign Adversary Control rules.<sup>246</sup> As USTelecom notes, "[g]iven that a publicly traded company's stock is purchased on the open market, when that company will know about a new shareholder may vary considerably."<sup>247</sup> We find that application of this preexisting standard for publicly traded companies will result in regulatory consistency and reduced burdens for such entities.

68. We affirm our tentative conclusion in the *Notice* that limiting our attestation requirements to require information about Foreign Adversary Control, as opposed to foreign control more broadly, and limiting the reporting obligations to Regulatees that have Foreign Adversary Control will minimize the compliance burden on Regulatees.<sup>248</sup> We also affirm our tentative conclusion in the *Notice* that a 5% or greater direct or indirect equity and/or voting interest threshold is reasonable given that the requirement to file such disclosures is limited to Regulatees with reportable Foreign Adversary Control and because a higher reporting threshold may not fully capture national security risks presented by foreign ownership, particularly when there is Foreign Adversary Control.<sup>249</sup> We received support both for adopting these additional reporting requirements, and for adopting a 5% disclosure threshold.<sup>250</sup> We find that this disclosure threshold is consistent with similar Commission regulations,<sup>251</sup> and thus "would promote regulatory clarity, reduce compliance costs for low-risk entities, and allow the Commission to concentrate its resources on high-risk ownership structures that genuinely run the risk of compromising U.S. communications infrastructure."<sup>252</sup>

69. We decline suggestions in the record to require disclosures beyond what we adopt today. The Coalition for a Prosperous America suggests that we require manufacturers of high-wattage connected appliances "to explicitly disclose detailed information about foreign adversary ownership or control," and to "prominently communicate, in consumer-facing privacy policies and at the point-of-sale, the precise nature and extent of data collection, storage, and any potential access or usage by foreign

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<sup>246</sup> See 47 CFR § 1.5000(e)(1)(i) (defining "eligible U.S. public company"); see also *id.* § 1.5000(e)(2)-(4).

<sup>247</sup> USTelecom Reply at 2.

<sup>248</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3752-53, para. 49.

<sup>249</sup> *Id.* at 3753-54, para. 52.

<sup>250</sup> See, e.g., CCIA Comments at 2; FDD Comments at 6; The Center for Procurement Advocacy Comments at 1; SentinelOne Comments at 5 (recommending that the Commission require disclosure of indirect ownership interests).

<sup>251</sup> See, e.g., *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3619, para. 5 (requiring all recognized telecommunication certification bodies (TCBs), test labs, and laboratory accreditation bodies to certify to the Commission that they are not owned by, controlled by, or subject to the direction of a prohibited entity and to report all equity or voting interests of 5% or greater by any entity).

<sup>252</sup> CCIA Comments at 2-3.



governments.”<sup>253</sup> Whirlpool submits similar suggestions.<sup>254</sup> The purpose of this proceeding is limited to gathering information about Foreign Adversary Control over Covered Authorizations for the use of the Commission and disclosure to the public, so we decline to expand it at this stage to include the data-handling practices of Regulatees. Because this information will be available to the public through Commission databases, we decline to require point-of-sale or similar additional disclosures. We find that the benefit such disclosures would provide to consumers is outweighed by the complexity that would burden not only manufacturers but also distributors, resellers, and others in the supply chain resulting from ownership changes that could occur too frequently to ensure consistent accuracy.

70. We also decline the similar suggestions raised by SentinelOne and Michael Ravnitsky to establish a “verification framework” of submitted attestations,<sup>255</sup> or conduct “mandatory screening of all FCC licensees and regulated entities, irrespective of their self-reported foreign ties.”<sup>256</sup> As discussed in Section III.C.4 below, we delegate authority to the Licensing Bureaus and Offices and the Enforcement Bureau, to conduct investigations into potential false attestations, and to initiate revocation proceedings with respect to any Covered Authorizations held by a wrongdoer.<sup>257</sup> In multiple contexts, instead of independently validating filings as they are submitted,<sup>258</sup> the Commission has opted to rely on an investigation and enforcement process should the Commission later discover a deficiency. For example, in the interconnected Voice over Internet Protocol (VoIP) direct access authorization application process, the Commission delegated to both the Wireline Competition Bureau and the Enforcement Bureau the authority to revoke authorizations should either Bureau later discover a rule violation or a false statement, among other conditions.<sup>259</sup> Similarly, in the context of Robocall Mitigation Database certifications by voice service providers, gateway providers, and non-gateway intermediate providers, the Commission pursues enforcement action after conducting investigations into apparent violations of the Robocall Mitigation Database rules.<sup>260</sup> While we expect that our adoption of post-filing investigation and enforcement mechanisms will sufficiently deter bad actors from submitting false or deficient attestations, we reserve the ability in the future to adopt additional information disclosures and enforcement mechanisms as necessary to achieve our national security goals.

71. *Applicability.* After the deadline for initial attestations, and on an ongoing basis, we require a new attestation, and if affirmative, additional disclosures, by:

- (1) any Regulatee holding a Covered Authorization designated in Schedule A or B, regardless of whether it has already filed an attestation;

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<sup>253</sup> The Coalition for a Prosperous America Comments at 3.

<sup>254</sup> See Whirlpool Comments at 2.

<sup>255</sup> Michael Ravnitsky Comments at 1; see SentinelOne Comments at 7.

<sup>256</sup> SentinelOne Comments at 5.

<sup>257</sup> See *infra* Section III.C.4.

<sup>258</sup> As noted below, however, we direct the Licensing Bureaus and Offices to review the filings submitted and promptly compile a list of Regulatees in Schedule A that failed to file, and identify those entities subject to Schedules A and B that filed after the deadline. See *id.* We also delegate to the Licensing Bureaus and Offices authority to contact filers for additional information and make preliminary assessments regarding the willfulness of a deficiency. See *id.*

<sup>259</sup> See *VoIP Direct Access Second Report and Order and Second Further Notice*, 38 FCC Rcd at 8983-84, para. 63.

<sup>260</sup> See 47 CFR § 64.6305(d)-(f) (requiring certification in the Robocall Mitigation Database by voice service providers, gateway providers, and non-gateway intermediate providers); *id.* § 0.111(a)(28)(i) (enabling the Enforcement Bureau to take enforcement action, “including de-listing from the Robocall Mitigation Database, against any provider: (i) Whose certification . . . is deficient after giving that provider notice and an opportunity to cure the deficiency . . .”); *Robocall Mitigation Database Filers*, EB-TCD-25-0003859, Order, DA 25-737 (EB Aug. 25, 2025) (removing over 1,200 deficient listings from the Robocall Mitigation Database).

- (a) within 30 days of the Regulatee becoming subject to Foreign Adversary Control, to the extent such change does not require Commission approval; or
  - (b) within 60 days, or for small entities within 120 days, of the effective date of an addition to the Department of Commerce's list of foreign adversaries in 15 CFR § 791.4 of a foreign government or foreign non-government person that has Foreign Adversary Control over the Regulatee;
- (2) any holder of a Covered Authorization newly designated in Schedule A regardless of whether it has already filed an attestation, within 30 days of the effective date of a public notice announcing the designation;
- (3) a Regulatee holding a Covered Authorization designated in Schedule A or B that is subject to Foreign Adversary Control, or any Regulatee whose last attestation was affirmative;
  - (a) upon application for any new Covered Authorization;
  - (b) upon application for a transfer of control or assignment, except a *pro forma* transfer of control or assignment,<sup>261</sup> of any Covered Authorization held by the Regulatee, of which it is the transferor, transferee, assignor, or assignee;
  - (c) upon application for a renewal of any Covered Authorization;
  - (d) upon application for a modification of any Covered Authorization;
  - (e) within 30 days of any changes to 5% or greater direct or indirect equity and/or voting interests, or controlling interests, held in the Regulatee; or
  - (f) within 30 days of the effective date of a public notice designating a Covered Authorization held by the Regulatee in Schedule B;
- (4) any entity regardless of Foreign Adversary Control;
  - (a) upon application for its first Covered Authorization designated in Schedule A; or
  - (b) upon application to be the transferee or assignee of its first Covered Authorization designated in Schedule A, except in the case of a *pro forma* transfer of control or assignment;<sup>262</sup>
- (5) any entity that is subject to Foreign Adversary Control;
  - (a) upon application for its first Covered Authorization designated in Schedule B;
  - (b) upon application to be the transferee or assignee of its first Covered Authorization designated in Schedule B, except in the case of a *pro forma* transfer of control or assignment;<sup>263</sup> or
  - (c) upon application for modification of a Covered Authorization designated in Schedule A or B that would cause the entity to be a licensee or lessee of the Covered Authorization; and
- (6) any Regulatee whose last attestation was affirmative within 30 days of its determination that it is no longer subject to Foreign Adversary Control.

We adopt these ongoing requirements to file new attestations based on delineated circumstances, rather

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<sup>261</sup> See 47 CFR § 63.24(d) (describing *pro forma* transfers of control and assignments as transactions that “do not result in a change in the actual controlling party”); see also *id.* § 63.24(d) notes 1-2.

<sup>262</sup> See *id.*

<sup>263</sup> See *id.*

than in a generally applicable annual attestation, to tailor the filing requirements to those Regulatees whose Foreign Adversary Control would present the greatest risk. This tailored approach thereby reduces burdens on the large number of Regulatees which hold Covered Authorizations presenting lower risks and either are not subject to Foreign Adversary Control or are already subject to other Commission regulations that adequately address the risks of any Foreign Adversary Control. We received support for requiring Regulatees to report changes as they arise, rather than in an annual attestation.<sup>264</sup> We agree with SentinelOne that, by requiring a new attestation in the event of material changes, we will ensure “real-time accuracy” as to the extent of Foreign Adversary Control over Regulatees.

### C. Implementation Considerations

72. In this section, we amend the Commission’s rules to create a new subpart setting forth the attestation and disclosure requirements. Next, we adopt our proposal to create a single, consolidated reporting system, and establish a general deadline for reporting, with an exception for small entities. We then establish a streamlined revocation procedure, applicable where consistent with existing statutory requirements, and discuss enforcement mechanisms. Finally, we adopt our proposal to publish the data and address privacy considerations.

#### 1. Rule Updates

73. We amend part 1 of the Commission’s rules to establish a new subpart GG, where we adopt the rules detailed in this *Report and Order*.<sup>265</sup> We find that consolidating all new Foreign Adversary Control attestation and disclosure rules in a single subpart will promote clarity and administrative efficiency, and facilitate a Regulatee’s ability to readily identify the rules that are applicable to their various licenses and authorizations.<sup>266</sup> We conclude that incorporating these rules into existing licensing rules with respect to applications, transfers of control, and assignments would reduce ease of searchability, result in unnecessary redundancy across the Commission’s rules, and potentially create inconsistencies across Covered Authorizations.

#### 2. Method of Collection

74. We adopt our proposal to establish a single, consolidated reporting system, which we designate as the Foreign Adversary Control System (FACS).<sup>267</sup> We require all Regulatees with a reporting obligation to make their attestations and submit any further required information within the FACS. We affirm our conclusion in the *Notice* that collecting all required information in a single, consolidated system “would allow entities and individuals to enter their Foreign Adversary Control information once covering all of their existing Covered Authorizations.”<sup>268</sup> We agree with USTelecom on the importance of streamlining the process to the extent possible,<sup>269</sup> and find that centralizing attestations

<sup>264</sup> See CCIA Comments at 4; ITI Comments at 4-5; SentinelOne Comments at 7.

<sup>265</sup> See *infra* Appx. A. We did not receive any comment in response to proposals in the *Notice* on this issue.

<sup>266</sup> Part 1 of the Commission’s rules contains other rules related to foreign ownership, such as Subpart DD, Secure and Trusted Communications Networks. See, e.g., 47 CFR §§ 1.50000-1.50007 (Secure and Trusted Communications Networks); see also *id.* §§ 1.5000-1.5004 (Foreign Ownership of Broadcast, Common Carrier, Aeronautical En Route, and Aeronautical Fixed Radio Station Licensees); *id.* §§ 1.40001-1.40004 (Review of Applications, Petitions, Other Filings, and Existing Authorizations or Licenses with Reportable Foreign Ownership By Executive Branch Agencies for National Security, Law Enforcement, Foreign Policy, and Trade Policy Concerns).

<sup>267</sup> See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3756-57, paras. 61-62.

<sup>268</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3756, para. 60; see also *supra* note 233 (explaining that Regulatees with Covered Authorizations on multiple Schedules are only required to file once).

<sup>269</sup> See USTelecom Reply at 2 (“To the extent the Commission can streamline the certification process for entities with multiple licenses, such as allowing bulk submissions, it should do so.”).

and disclosures into a single system will minimize duplicative and burdensome requirements to file information regarding Foreign Adversary Control across multiple systems and platforms.<sup>270</sup> In addition, this approach will enhance the accuracy and reliability of the data by minimizing the potential for filing inconsistencies across disparate systems.

75. We delegate authority to the Office of Economics and Analytics (OEA) and the Public Safety and Homeland Security Bureau (PSHSB), in consultation with the relevant licensing Bureaus and Offices and the Office of the Managing Director, to determine all aspects of the design, development, implementation, and ongoing operations of the FACS, consistent with the direction and objectives of this *Report and Order*.<sup>271</sup> We also delegate to the Licensing Bureaus and Offices, to OEA, and to the Office of the Managing Director authority to conduct a rulemaking proceeding to determine whether a fee must be assessed for the filing of attestations and disclosures, and if so, the fee amount.<sup>272</sup> Upon the launch of the FACS, we direct OEA and PSHSB to publish a notice that details the attestations required for the holders of licenses listed in each Schedule and instructions for how such Regulatees should submit such information for their Covered Authorizations. We also delegate to OEA and PSHSB, and the relevant Licensing Bureaus and Offices authority to provide rule clarifications or further guidance with respect to the use of the FACS, including amendments to the Code of Federal Regulations to reflect the filing method and deadlines.<sup>273</sup>

76. All Regulatees with Covered Authorizations subject to the attestation and disclosure requirements must submit the required information via the FACS.<sup>274</sup> Covered Authorizations that do not have a separate licensing system must also use the FACS to submit attestations and any required disclosures. Entities that file registration information on FCC Form 499-A indicating that they provide

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<sup>270</sup> Generally, the reporting requirements of this collection will provide the Commission greater insight into Regulatee's Foreign Adversary Control, where applicable, compared to what is currently collected. However, we note that the Commission collects ownership information associated with applications involving certain Covered Authorizations in existing Commission systems. *See, e.g., supra* Section III.A.3.d (for example, broadcasters are required to file lessee attestations in both the OPIF and FACS). In the limited instances where the burden may be duplicative, we find it reasonable to require Regulatees with Covered Authorizations to comply with the attestation and reporting requirements using the FACS because it facilitates compliance, helping to ensure that all necessary information is collected in a standardized format. Given the expense associated with making modifications to existing systems, we do not expect Bureaus and Offices to make changes to existing systems in response to this *Report and Order*, except where necessary to enable the operation of the FACS. However, Bureaus and Offices should take into consideration the information collected in the FACS when making modifications to existing systems for other reasons.

<sup>271</sup> *See* 47 CFR § 0.191 ("The Public Safety and Homeland Security Bureau advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in all matters pertaining to public safety, homeland security, national security, emergency management and preparedness, disaster management, and ancillary operations. The Bureau has responsibility for coordinating public safety, homeland security, national security, emergency management and preparedness, disaster management, and related activities within the Commission.").

<sup>272</sup> *See* 47 U.S.C. § 158. Section 8(c) of the Act requires the Commission to, by rule, amend the application fee schedule if the Commission determines that the schedule requires amendment so that: (1) such fees reflect increases or decreases in the costs of processing applications at the Commission or (2) such schedule reflects the consolidation or addition of new categories of applications. *Id.* § 158(c). Section 8(c) of the Act does not mandate a timeframe for making any such amendments under section 8(c). The Commission previously explained that when the application fee schedule may require an amendment pursuant to section 8(c), the Commission will initiate a rulemaking to seek comment on any proposed amendment(s) to the application fee schedule. *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules*, MD Docket No. 20-270, Order, 37 FCC Rcd 14994, 14994, para. 1 n.2 (2022).

<sup>273</sup> The delegations in this paragraph include authority to use notice-and-comment procedures if OEA and the relevant Licensing Bureaus and Offices deem it necessary or advisable to do so.

<sup>274</sup> Use of the FACS satisfies only the requirements of Subpart GG.

interstate telecommunications service shall submit attestations as holders of blanket domestic section 214 authorizations. Similarly, interconnected VoIP direct access authorization holders must also file through the FACS. By requiring blanket domestic section 214 authorization holders and interconnected VoIP direct access authorization holders to submit attestations, we close potential gaps in the Commission's oversight.

77. *Training and outreach.* We direct OEA and PSHSB, along with the relevant Licensing Bureaus and Offices, in consultation with the Consumer and Governmental Affairs Bureau, to conduct outreach and training regarding the FACS and the requirements for filing. NAB recommends that the outreach and training efforts "should include contacting licensees at . . . addresses on file with the Commission, holding at least one webinar, . . . highlighting the new requirements . . . [on] the Commission's website and social media sites" and notifying member and industry organizations of the new requirements.<sup>275</sup> Although NAB expressed specific concern for broadcast licensees,<sup>276</sup> we find that a broad outreach campaign is warranted to ensure that Regulatees understand the reporting requirements and will enhance compliance rates and the quality of the information collected.

### 3. Deadline

78. *General rule.* We establish a filing deadline of 60 days after the public notice announcing the launch of the FACS.<sup>277</sup> Regulatees holding Covered Authorizations or that have an application for a Covered Authorization pending before the Commission must file Foreign Adversary Control information as of the date of the beginning of the 60-day period. For example, if the rules become effective on May 1 and the public notice is released on June 1, the deadline to submit attestations and any additional required information would be July 31. In this example, Regulatees must submit their Foreign Adversary Control status as of June 1 by the deadline of July 31. We find that a 60-day deadline as a general rule appropriately balances the importance of the Commission obtaining information about foreign adversary risks in the communications sector in a timely manner with the need for Regulatees to have adequate time to complete their attestations and provide any further required information.

79. In the *Notice*, we proposed to require Regulatees to complete the required attestation and disclosures, as applicable, "within a 60-day window from the effective date of the information collection based on Foreign Adversary Control information as of 30 days prior to the filing deadline."<sup>278</sup> Commenters express concerns that a 60-day reporting window and 30-day lookback period "do not provide sufficient time" for Regulatees to comply.<sup>279</sup> Both CCIA and ITI recommend extending the reporting window to 120 days, "allowing certifications based on ownership information as of 30 days before filing . . ."<sup>280</sup> We understand CCIA and ITI's concerns, and so rather than adopt a 60-day

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<sup>275</sup> NAB Comments at 10.

<sup>276</sup> See generally *id.* (proposing ways the Commission can gather information related to Foreign Adversary Control for broadcasting licensees).

<sup>277</sup> See *supra* Section III.C.2 (directing OEA and PSHSB to release a public notice announcing the details of attestation requirements and how to submit attestations in the FACS).

<sup>278</sup> *Foreign Adversary Control Notice*, 40 FCC Rcd at 3757, para. 63.

<sup>279</sup> CCIA Comments at 3-4 (explaining that ownership information can take time to collect and delays are common, particularly for Supplier Declaration of Conformity authorization holders); ITI Comments at 4 (same). We reject Michael Schafer's contention that, because the Commission "knows the location of the Foreign Adversary (FA) labs and TCBs," we need not give Regulatees any time to file attestations. Schafer July 21, 2025 Comments at 2. As noted above, this rulemaking fills gaps in the Commission's knowledge regarding a much broader swath of Covered Authorizations than merely equipment authorizations and TCBs. Additionally, giving Regulatees time to file enables them to make accurate attestations after conducting an appropriate investigation into Foreign Adversary Control.

<sup>280</sup> CCIA Comments at 3-4; ITI Comments at 4.

deadline with a 30-day lookback period (which effectively gives Regulatees 30 days to file),<sup>281</sup> we require Regulatees to attest to Foreign Adversary Control as of the start of the 60-day period. We find that this effectively doubled filing period will be adequate for most Regulatees. For small-entity Regulatees which typically have fewer resources, we adopt an extended deadline of 120 days, as described below. To the extent a Regulatee is unable to comply with the deadline, the Regulatee may file a waiver request to be reviewed under the Commission's good cause standard.<sup>282</sup>

80. *Small entity exception.* For small entities, as defined below, we establish a filing deadline of 120 days after the public notice announcing the launch of the FACS. Regulatees meeting the definition of a small entity must file information based on the Foreign Adversary Control status as of the date of the beginning of the 120-day period. For example, if the rules became effective May 1 and the public notice was released June 1, the deadline for small entities to submit attestations and any additional required information would be September 29. In this example, Regulatees must submit their Foreign Adversary Control status as of June 1 by the September 29 deadline.

81. Consistent with the Commission's longstanding use of the North American Industry Classification System (NAICS) and the Small Business Administration (SBA) small business size standards<sup>283</sup> in the rulemaking context, we apply the same standards in this proceeding. If a Regulatee meets the definition of a small business for the purposes of the Regulatory Flexibility Act of 1980,<sup>284</sup> the Regulatee is subject to the 120-day filing deadline. While we make distinctions based on the size of certain Regulatees for the purposes of applying different attestation requirements,<sup>285</sup> these distinctions are based on specific policy considerations concerning whether and what attestations such Regulatees should file. For the purposes of the filing deadline, we apply the same definition of small entity across all Regulatees by using the standards set forth by the NAICS and SBA.<sup>286</sup> Given that the Covered Authorizations cut across the communications sector, we find this approach ensures consistency across Commission actions and minimizes burden as small entity Regulatees that are likely already familiar with these standards.

82. As noted, commenters highlight the potential challenges Regulatees may face in complying with the attestation and disclosure requirements. ITI explains that "collecting ownership information can be time-consuming, and delays in responses from interest holders are common."<sup>287</sup> We recognize that small entities have fewer resources and may need additional time to comply with the attestation and disclosure requirements. In light of these considerations, we find it appropriate to provide an extended deadline to small entities.

83. *Administration.* We delegate to OEA and PSHSB, in consultation with the relevant

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<sup>281</sup> For example, under the approach proposed in the *Notice*, with an effective date of May 1, Regulatees would have been required to submit their Foreign Adversary Control information as of May 31 by June 30—effectively leaving only 30 days for Regulatees to gather and submit the information.

<sup>282</sup> 47 CFR § 1.3.

<sup>283</sup> 13 CFR § 121.201; *see also* U.S. Small Business Administration, *Table of size standards*, <https://www.sba.gov/document/support-table-size-standards> (last visited Dec. 11, 2025).

<sup>284</sup> 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

<sup>285</sup> *See* Appx. A; 47 CFR § 1.80002 (delegating authority to Bureaus and Offices to consider national security risk, including type and size of entity, when modifying the Schedules).

<sup>286</sup> To determine the applicable filing deadline, a Regulatee should first determine which Schedule applies to its Covered Authorization, and then determine whether it falls under the SBA's small business size standard. We clarify that the small entity exception applies to Regulatees that are individuals subject to attestation and disclosure requirements under Schedule A or B.

<sup>287</sup> ITI Comments at 4; *see also* CCIA Comments at 3-4.

Licensing Bureaus and Offices, authority to extend these deadlines as appropriate.<sup>288</sup> We recognize that the deadlines established here may overlap with the period during which Regulatees apply for, or receive approval of, certain Covered Authorizations. Thus, we encourage Regulatees to submit any required attestations or disclosures prior to the applicable deadline.

#### 4. Enforcement and Revocation

84. *Enforcement.* The reporting requirements we adopt today aim to protect U.S. communications networks from entities with ties to foreign adversaries. Equally important, we adopt enforcement mechanisms that will allow the Commission to identify and address Foreign Adversary Control of Regulatees with Covered Authorizations. In appropriate cases, the Commission may take enforcement actions against Regulatees, such as issuing citations, imposing monetary penalties, or more serious actions that result in license or authorization revocations. Enforcement actions will take into account several non-exhaustive factors, such as national security risk, potential harm to the public, and any effect on downstream providers.<sup>289</sup>

85. *Late and Nonresponsive Filers.* Regulatees must submit their attestation and disclosure requirements by the initial filing deadline adopted in this *Report and Order*.<sup>290</sup> Following that deadline, we direct the relevant Licensing Bureaus and Offices to promptly compile a list of Regulatees in Schedule A that failed to file the required attestation by the deadline or filed attestations after the deadline. The Licensing Bureaus and Offices will refer these Regulatees to the Enforcement Bureau for possible enforcement action.<sup>291</sup> The Licensing Bureau or Office and/or the Enforcement Bureau, consistent with the process described below, may initiate a revocation proceeding against Regulatees that fail to file the required attestation by the deadline.

86. *Incomplete or Inaccurate Responses.* Following the receipt of an attestation required under our new rules, the Licensing Bureau or Office may refer the Regulatee's attestation to the Enforcement Bureau for further investigation where it appears that an attestation may be incomplete or inaccurate. Before referring a matter to the Enforcement Bureau for further investigation, the Licensing Bureau or Office may seek additional information to remedy completeness and accuracy issues present in the initial filing. The Enforcement Bureau, in coordination with other staff as necessary or desirable, may pursue revocation, monetary sanctions, or any other appropriate enforcement actions.

87. *Revocation.* To the extent consistent with applicable law,<sup>292</sup> we adopt a streamlined revocation or reclamation procedure for Regulatees that is similar to the revocation procedure for TCBs and test labs.<sup>293</sup> These streamlined procedures consist of an informal, written process with abbreviated time to reply, except where the Communications Act requires otherwise. We delegate to the Enforcement Bureau and the Licensing Bureaus and Offices authority to use additional procedures if necessary. In cases of false attestation of no Foreign Adversary Control or failure to timely, accurately, or completely

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<sup>288</sup> This delegation includes authority to use notice-and-comment procedures if OEA and PSHSB deem it necessary or advisable to do so.

<sup>289</sup> The Commission may consider other factors that the Regulatee presents when determining an appropriate enforcement action.

<sup>290</sup> See *supra* Section III.C.3.

<sup>291</sup> Section 503(b) of the Act authorizes the Commission to impose a forfeiture against any entity that "willfully or repeatedly fail[s] to comply with any of the provisions of [the Act] or of any rule, regulation, or order issued by the Commission[.]" 47 U.S.C. § 503(b). The maximum amount varies by type of entity. See 47 CFR § 1.80(b)(1)-(3) and (10) (maximum forfeiture penalty for any case not previously covered). The penalty for failing to file or filing late or inaccurate imposed may be up to the maximum permitted by the Commission's rules.

<sup>292</sup> See, e.g., 5 U.S.C. § 558(c); 47 U.S.C. § 312; *Matthews v. Eldridge*, 424 U.S. 319, 333 (1976).

<sup>293</sup> See *Equipment Authorization Integrity Order*, 40 FCC Rcd at 3663-64, paras. 105-107.

respond to the attestation and disclosure requirements, we direct the Enforcement Bureau and the Licensing Bureaus and Offices to coordinate prior to initiating enforcement or revocation actions against a Regulatee with a deficient filing.

88. The streamlined revocation procedure will consist of three steps: (1) Notice of Deficiency and Opportunity to Respond (except in the case of willfulness or those in which public health, interest, or safety requires otherwise, in which we case we may proceed directly to step two<sup>294</sup>); (2) Order to Show Cause; and (3) Order on Revocation.<sup>295</sup>

89. *Step 1: Notice of Deficiency and Opportunity to Respond.* Where the Licensing Bureau or Office and/or Enforcement Bureau determine that a Regulatee has violated the reporting requirements or assesses that Foreign Adversary Control of the Covered Authorization may pose an unacceptable risk to national security, it will notify the Regulatee of the apparent deficiency or national security risk, consistent with section 1.89 of the Commission's rules, citing the FACS reporting requirement and providing 30 days to come into compliance or otherwise respond to the notice before a Bureau or Office takes further action.<sup>296</sup>

90. Where the Licensing Bureau or Office and/or the Enforcement Bureau conclude that a Regulatee acted willfully in providing an incomplete, inaccurate, or misleading attestation, or where the national security risks presented by the Regulatee warrant dispensing with the first step notice, the Licensing Bureau or Office and/or the Enforcement Bureau may move directly to issue an Order to Show Cause without first issuing a Notice of Deficiency and Opportunity to Respond.<sup>297</sup>

91. *Step 2: Order to Show Cause.* If the Regulatee fails to cure the filing defect noted in the Notice of Deficiency and Opportunity to Respond, or otherwise fails to respond to that notice or demonstrate why revocation proceedings should not be initiated, the Licensing Bureau or Office and/or the Enforcement Bureau may issue an Order to Show Cause initiating a revocation proceeding and providing the Regulatee with fifteen (15) calendar days to explain why its authorization(s) should not be revoked, except where statutory revocation procedures apply instead.<sup>298</sup> The response period of less than

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<sup>294</sup> See, e.g., 5 U.S.C. § 558(c) (allowing an agency to dispense with the first step in cases of "willfulness or those in which public health, interest, or safety requires otherwise").

<sup>295</sup> This process will provide Regulatees with ample notice and opportunity to be heard before any enforcement action is adopted. See Michael Ravnitzky Comments at 1 (raising concerns about "selective enforcement"). The Licensing Bureaus and Offices and/or the Enforcement Bureau will follow prescribed steps when initiating an enforcement action, including revocation. As applicable, those steps will include processes prescribed by the Communications Act, e.g., 47 U.S.C §§ 312(c), 503(b).

<sup>296</sup> We clarify that 47 CFR § 1.89 applies to the streamlined process but our 30-day response period constitutes "such other period as may be specified" for purposes of that rule. In the event the Commission does not have any or updated information about a Regulatees mailing address for service of process, 47 U.S.C. § 413 states that the requirement may be satisfied "by posting such notice, process, order, requirement, or decision in the office of the secretary of the Commission." 47 U.S.C. § 413.

<sup>297</sup> See 5 U.S.C. § 558(c).

<sup>298</sup> For revocation of broadcast and wireless licenses, steps two and three are governed by section 312 of the Communications Act and section 1.91 of the Commission's rules. The procedure for revoking a broadcast or wireless license involves issuing an order to show cause for an evidentiary administrative hearing before the Commission's administrative law judge (ALJ) or other presiding officer as that term is defined in section 1.241 of the Commission's rules. The issued order sets out the factual basis for any allegations that may warrant revocation and directs the ALJ/Presiding Officer to determine whether those facts bear out and whether the license/authorization should be revoked. See 47 CFR §§ 1.201-1.377 (setting forth the procedures governing these administrative hearings). Pursuant to section 2.939(b) of the Commission's rules, *id.* § 2.939(b), except for the limited circumstances set forth in section 2.939(d) of the Commission's rules, revocation of equipment authorizations shall be made in the same manner as revocation of broadcast licenses and wireless licenses described above. The limited exception to this process, as authorized by section 2.939(d) of the Commission's rules, applies

(continued....)



30 days reflects the heightened national security risks associated with undisclosed foreign adversary ownership.<sup>299</sup>

92. *Step 3: Order of Revocation.* After providing the Regulatee notice and opportunity to respond to the Order to Show Cause, if the ALJ/Presiding Officer (in cases subject to 47 U.S.C. § 312) or pertinent Bureau/Office find that revocation is warranted, they will issue an Order of Revocation. This order will revoke the Regulatee's authorization(s).<sup>300</sup>

93. We find that these procedures are consistent with due process and procedural requirements under the Communications Act and the Administrative Procedure Act (APA). Congress has granted the Commission broad authority to "conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice."<sup>301</sup> We find that the process we adopt will ensure the development of an adequate administrative record and appropriate procedural safeguards to ensure due process.

94. FDD supports revocation of a Regulatee's Covered Authorization within 30 days of failure to comply after an opportunity to correct or explain any deficiencies to ensure the continued accuracy and reliability of disclosures regarding Foreign Adversary Control.<sup>302</sup> As explained above, we find the record supports adopting a streamlined revocation process as a default across Covered Authorizations where consistent with applicable law. We find that our procedures are warranted by the national security and law enforcement risks arising from Foreign Adversary Control over Covered Authorizations while comporting with the Communications Act, the APA, and the requirements of due process.

95. NAB opposes the application of a streamlined revocation process for broadcasters, pointing out that a streamlined process would not comport with section 312 of the Communications Act.<sup>303</sup> We agree that the Communications Act prescribes specific procedures for certain Commission-

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when a false statement or representation is made in an equipment certification application, or in materials or responses submitted in connection therewith, that the equipment in the subject application is not prohibited from receiving an equipment authorization pursuant to section 2.903 of the Commission's rules (i.e., it is not Covered Communications Equipment), and the Commission subsequently determines that the equipment is Covered Communications Equipment. Section 2.939(d) of the Commission's rules sets forth the procedures for revoking equipment authorizations in these limited circumstances. *Id.*

<sup>299</sup> We delegate authority to the Bureaus and Offices to afford additional process as they deem necessary or appropriate. *See Submarine Cable Report and Order* at \*22-23, paras. 53-54 (delegating authority to the Office of International Affairs to determine appropriate procedures for revocation on a case by case basis, considering the APA and due process requirements).

<sup>300</sup> *See, e.g., China Telecom (Americas) Corp. v. FCC*, 57 F.4th at 268-69 (holding that "given the record in this case," discovery and live hearing procedures, and an opportunity to achieve or demonstrate compliance were not required "by statute, regulation, FCC practice, or the Constitution").

<sup>301</sup> 47 U.S.C. § 154(j); *China Telecom (Ams.) Corp.*, 57 F.4th at 265. The Commission has broad discretion to craft its own rules "of procedure and to pursue methods of inquiry capable of permitting them to discharge their multitudinous duties." *Id.* at 268 (citing *FCC v. Schreiber*, 381 U.S. 279, 290 (1965)) (internal quotations omitted); *see also Vermont Yankee Nuclear Power Corp. v. Nat. Res. Def. Council, Inc.*, 435 U.S. 519, 543 (1978); *VoIP Direct Access Second Report and Order and Second Further Notice*, 38 FCC Rcd at 8984, para. 64 (delegating authority to the Wireline Competition Bureau and the Enforcement Bureau to determine appropriate procedures and initiate revocation and/or termination proceedings and to revoke and/or terminate a direct access authorization, as required by due process and applicable law and in light of the relevant facts and circumstances, including providing the direct access authorization holder with notice and opportunity to respond); *Evolving Risks Notice*, 38 FCC Rcd at 4382, para. 77; *Submarine Cable Report and Order* at \*21-25, paras. 50-58.

<sup>302</sup> *See FDD July 21, 2025 Comments* at 6-7; *see also Schafer July 15, 2025 Comments* at 39-41.

<sup>303</sup> NAB Comments at 16-18.

granted licenses, such as broadcast licenses, as described above.<sup>304</sup> We therefore make clear that, in all such cases where a statute, treaty, the Constitution, or other applicable law requires that the Commission apply procedure that conflicts with the streamlined procedure we adopt today, we direct the Bureaus and Offices to apply the procedures mandated by the statute or other applicable law.<sup>305</sup> A streamlined revocation process is appropriate in light of the risks that foreign adversaries pose to our networks when they act through surrogates that they “own or control” and that hold licenses, authorizations, and other approvals granted by the Commission. As discussed above, these risks include the ability to directly compromise the integrity of the nation’s communications networks.<sup>306</sup>

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<sup>304</sup> See *supra* para. 91 & note 309.

<sup>305</sup> We exclude certain Covered Authorizations from the revocation procedures adopted herein to the extent revocation of such Covered Authorizations is subject to other statutory requirements that we will apply accordingly, or the Commission has existing processes for revocation (or other comparable action) of such Covered Authorizations that we believe are also appropriately applied in matters involving the Regulatee’s compliance (or lack thereof) with these attestation and disclosure requirements. When determining whether existing processes are appropriate to apply, Licensing Bureaus and Offices are directed to consider whether such processes are solely Commission regulations (i.e., not required by statute, treaty, Executive Order, or the Constitution) and, if so, whether the streamlined revocation procedure may be applied, with modifications as necessary.

In the *Submarine Cable Report and Order*, we adopted an informal written process in cases involving revocation and/or termination of a cable landing license, consistent with due process and procedural requirements under the Cable Landing License Act of 1921, the Communications Act, and the APA. We also noted that the Commission and the State Department have existing procedures by which the State Department approves the Commission’s revocation of a cable landing license, as required by Executive Order 10530, and these procedures would continue to apply to any revocation of a cable landing license. As set forth in our rules, recognized operating agency status is granted or revoked by the U.S. Department of State. To the extent we consider any matter relating to recognized operating agency’s compliance or lack thereof with the attestation and disclosure requirement, we will assess whether it warrants a recommendation to revoke the entity’s recognized operating agency status and coordinate with the State Department as needed. See 47 CFR §§ 1.10014(h), 63.701; *1986 International Communications Report and Order*, 104 F.C.C.2d 208, 250-52, paras. 59-60. The Office of International Affairs (OIA) may, for example, issue a notice of intent to recommend revocation and will provide notice of such as required by 47 U.S.C. § 413 where applicable. 47 U.S.C. § 413 (“[I]n default of such designation of such agent, service of any notice or other process in any proceeding before said Commission, or of any order, decision, or requirement of the Commission, may be made by posting such notice, process, order, requirement, or decision in the office of the secretary of the Commission.”).

To the extent we consider whether reclamation of an ISPC or DNIC is warranted due to an ISPC holder’s or DNIC holder’s failure to comply with the attestation and disclosure requirement, we will follow our existing reclamation procedures consistent with ITU-T Recommendation Q.708 and ITU-T Recommendation X.121, respectively. See, e.g., *Potential Reclamation of Savontel Communications, Inc.’s International Signaling Point Code, 3-055-7* (Jackson Heights, NY), Letter, 39 FCC Rcd 1033 (OIA 2024); *Potential Reclamation of Sakon, LLC’s International Signaling Point Code, 3-187-5* (Holmdale, NJ), Letter, 38 FCC Rcd 10355 (OIA 2023); *International Communications Policies Governing Designation of Recognized Private Operating Agencies, Grants of IRUs in International Facilities and Assignment of Data Network Identification Codes*, CC Docket No. 83-1230, Notice of Proposed Rulemaking, FCC 85-369, 1985 FCC LEXIS 2766, \*92, para. 72 & n.66 (1985); ITU-T Recommendation Q.708 at 4 (Subclause 9.2), at 5-6 (Subclause 11); ITU-T Recommendation X.121 at 6 (Subclause 7.3.2), 34 (Annex L). First, OIA will issue a letter notifying the ISPC holder or DNIC holder of its intent to reclaim its provisionally assigned code(s) and require the entity to respond within thirty (30) days. Second, if the ISPC holder or DNIC holder fails to cure the filing defect noted in the letter, or fails to adequately demonstrate why OIA should not reclaim its ISPC(s) or DNIC(s), or otherwise fails to respond to that letter, OIA will issue a letter reclaiming the ISPC(s) or DNIC(s) and notify the ITU of the reclamation. OIA will then make the code(s) available for reassignment.

<sup>306</sup> See *supra* Section III.A.2.

## 5. Publication of Data and Privacy Considerations

96. We adopt our proposal in the *Notice* to make the attestations and additional disclosures available to the public.<sup>307</sup> We find that increasing transparency into the control structures of Regulatees across all industries will serve to deter future Foreign Adversary Control over critical infrastructure and protect consumers. By publishing this information, we enhance accountability and advance the Commission's national security and public interest objectives by deterring noncompliance and enabling outside parties to raise concerns where appropriate. We received no comment opposing this approach. We delegate to OEA and PSHSB, in coordination with Licensing Bureaus and Offices and the Enforcement Bureau, to determine how to make the information publicly accessible, and to publish the attestations and disclosures. To account for the possibility that certain information may need to remain non-public, we delegate authority to OEA and PSHSB, in consultation with the relevant Licensing Bureaus and Offices and the Office of General Counsel, to determine what information, if any, should be withheld from public disclosure and the method and format in which to publicly disclose these filings.

### D. Cost–Benefit Considerations

97. *Benefits.* Protecting national security and preserving the substantial economic activity conducted online are the most tangible benefits of identifying foreign adversary threats. The Commission has previously recognized that “a foreign adversary’s access to American communications networks could result in hostile actions to disrupt and surveil our communications networks, impacting our nation’s economy generally and online commerce specifically, and result in the breach of confidential data.”<sup>308</sup> In the *Notice*, we argued that even a temporary disruption in communications could cause billions of dollars in economic losses given that our national gross domestic product was over \$29 trillion in 2024,<sup>309</sup> the digital economy accounted for approximately 16% of the U.S. economy,<sup>310</sup> and the volume of international trade for the United States (exports and imports) was \$5.4 trillion in 2024.<sup>311</sup> Thus, the benefits gained from deterring foreign adversaries or other untrustworthy actors and preventing disruption to the U.S. economy and critical communications infrastructure could be significant. Likewise, the attestations and disclosures will enable the Commission and our federal partners to more effectively address the widespread and coordinated efforts to exploit, attack, and otherwise compromise the integrity of communications networks for the purpose of undermining national security. Additional benefits include preventing the possible loss of confidential data, including the interception of sensitive

<sup>307</sup> See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3759, para. 67.

<sup>308</sup> *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs et al.*, WC Docket No. 18-19 et al., Report and Order, Further Notice of Proposed Rulemaking, and Order, 34 FCC Rcd 11423, 11465, para. 109 (2019).

<sup>309</sup> See Press Release, Bureau of Economic Analysis, U.S. Department of Commerce, Gross Domestic Product (Third Estimate), Corporate Profits, and GDP by Industry, 4th Quarter and Year 2024 (Mar. 27, 2025), <https://www.bea.gov/sites/default/files/2025-03/gdp4q24-3rd.pdf>.

<sup>310</sup> Staff estimates that the digital economy accounts for approximately 16% of the U.S. GDP based on the statistics published by the Bureau of Economic Analysis as of 2021: \$3.7 trillion of digital economy/\$23 trillion U.S. GDP = 16%. See Tina Highfill & Christopher Surfield, Bureau of Economic Analysis, U.S. Department of Commerce, New and Revised Statistics of the U.S. Digital Economy, 2005-2021 (November 2022), <https://www.bea.gov/system/files/2022-11/new-and-revised-statistics-of-the-us-digital-economy-2005-2021.pdf> (estimating that the U.S. digital economy accounted for \$3.70 trillion of gross output); see also Press Release, Bureau of Economic Analysis, U.S. Department of Commerce, Gross Domestic Product, Fourth Quarter and Year 2021 (Second Estimate), <https://www.bea.gov/news/2022/gross-domestic-product-fourth-quarter-and-year-2021-second-estimate> (estimating that the U.S. GDP was around \$23 trillion in 2021).

<sup>311</sup> See Press Release, Bureau of Economic Analysis, U.S. Department of Commerce, U.S. International Trade in Goods and Services, December and Annual 2024 (Feb. 5, 2025), <https://www.bea.gov/news/2025/us-international-trade-goods-and-services-december-and-annual-2024>.

governmental information, and the undermining of public safety. Requiring Regulatees to report Foreign Adversary Control can mitigate vulnerabilities in the communications infrastructure and strengthen national security by identifying potential threats. Such reporting, however, is only the first step in neutralizing the threat posed by hostile foreign governments. Additional steps include close scrutiny and, where deemed appropriate, revocations to neutralize credible threats.

98. *Costs.* In the *Notice*, the Commission reasoned that collecting information on Regulatees owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary is unlikely to impose significant reporting costs for several reasons. First, many Regulatees are already subject to the Commission's existing foreign ownership reporting requirements.<sup>312</sup> Second, a privately held company likely knows the investors or stakeholders that hold interests of 10% or greater or exert significant control over its business directives, while a publicly held company is required to identify its interest holders in requisite filings with the U.S. Securities and Exchange Commission.<sup>313</sup> Third, for those Regulatees not currently reporting foreign ownership nor aware of their ownership interests, Commission staff estimated a one-time foreign adversary ownership reporting cost of \$116 per Regulatee.<sup>314</sup>

99. NAB argues that we have underestimated the reporting burden by oversimplifying the complexity of the required reporting tasks, erroneously assigning them to support staff instead of attorneys, and underestimating the time to complete them.<sup>315</sup> In order to substantiate these claims, NAB would have to produce precise, large industry cost estimates to exceed plausible estimates of Foreign Adversary Control reporting benefits. To illustrate, the United States' digital economy amounted to \$4.67 trillion in 2024, for an average of \$389 billion per month, \$13 billion per day, and \$540 million per hour.<sup>316</sup> Therefore, any disruption of the digital economy by a foreign adversary, even for an hour's duration, is likely to generate billions of dollars in lost value-added, the prevention of which is a benefit.<sup>317</sup> NAB has not provided any cost data for the Commission to consider. Further, although NAB submits an example of the time it would take for a single station owner to submit foreign ownership attestations, we find that the concern is mitigated by our sliding-scale Schedule approach to only require certain entities to submit attestations and disclosures, and specifically for broadcast licensees, the distinction in reporting requirements for larger and smaller entities.<sup>318</sup>

100. Accordingly, we conclude that the benefits of the Foreign Adversary Control attestation and disclosure requirements far exceed the costs. Apart from the economic benefits, we believe that the

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<sup>312</sup> See, e.g., 47 CFR §§ 63.18(h) (requiring a disclosure of 10% or more of the equity and/or voting interests for international section 214 authorizations), 63.04(a)(4) (requiring a disclosure of 10% or more of the equity and/or voting interests for domestic section 214 transfer of control applications), 73.1020 (requiring all existing broadcast licensees to submit information about foreign ownership every eight years).

<sup>313</sup> 15 U.S.C. § 78m(d)(1).

<sup>314</sup> Consistent with the Commission's calculations in Paperwork Reduction Act (PRA) statements, we estimated the median hourly wage for support staff (paralegals and legal assistants) as \$40. To account for estimated benefits, we added 45% for a total hourly labor cost of \$58. See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3760, para. 70 & n.131. We estimated that for this one-time review, each Regulatee would spend about two hours total to research and report any 10% or greater foreign-adversary ownership stake.

<sup>315</sup> NAB Comments at 15 n.43.

<sup>316</sup> 16% of 2024 US GDP of \$29.18 trillion = \$4.67 trillion. See *supra* note 317.

<sup>317</sup> Any disruption that spillovers into global digital commerce—some of which transits U.S. communications networks—is sure to multiply benefits. The World Bank estimated that the digital economy comprised 15% of world nominal GDP in 2024, amounting to approximately \$16 trillion of the \$108 trillion world economy, over three times as much as U.S. digital commerce alone. Roger Stukhoff, International Data Center Authority, *Global Digital Economy Report – 2025*, <https://www.idc-a.org/insights/qU9XgvyrzSkyDUy9Tqr> (last visited Dec. 9, 2025).

<sup>318</sup> See *supra* para. 38.

benefits to national security also outweigh any economic costs, as “[i]t is obvious and unarguable that no governmental interest is more compelling than the security of the Nation,” which these rules promote.<sup>319</sup>

#### IV. SEVERABILITY

101. All of the rules that are adopted in this *Report and Order* are designed to mitigate the national security risk of Foreign Adversary Control of Commission-granted licenses, leases, authorizations, permits, grants, and other approvals. Each individual provision of the rules we adopt here serves to address this strategic policy goal. Therefore, it is our intent that each of the separate rules we adopt herein shall be severable. If any subset of the rules is declared invalid or unenforceable for any reason, it is our intent that the remaining rules shall remain in full force and effect.

#### V. PROCEDURAL MATTERS

102. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),<sup>320</sup> requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.”<sup>321</sup> Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in this Report and Order on small entities. The FRFA is set forth in Appendix B.

103. *Paperwork Reduction Act.* This *Report and Order* may contain new or substantively modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. All such requirements will be submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other federal agencies will be invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. § 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

104. In this present document, we describe several steps we have taken to minimize the information collection burdens on small entities.<sup>322</sup> We have assessed the effects of the attestation and disclosure requirements adopted herein and find that they will not impose significant costs on Regulatees because similar requirements currently exist for many Covered Authorizations and they are likely to be familiar with the processes required for compliance. Further, we created a sliding-scale Schedule-based approach to the application of our attestation and disclosure requirements to minimize the burdens of complying across differently situated Regulatees. By doing so, we place certain Covered Authorizations that are typically or exclusively held by small entities in Schedule C and exempt these Regulatees from the initial reporting requirements. We also extended the duration of the filing deadline for small entities, minimizing any burdens they may face in complying with these requirements.

105. *People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

106. *Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs that this

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<sup>319</sup> *Haig v. Agee*, 453 U.S. 280, 307 (1981) (quotation marks and citation omitted).

<sup>320</sup> 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

<sup>321</sup> 5 U.S.C. § 605(b).

<sup>322</sup> *See infra* Appx. B, paras. 12-14.

rule is “non-major” under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

107. *OPEN Government Data Act.* The OPEN Government Data Act,<sup>323</sup> requires agencies to make “public data assets” available under an open license and as “open Government data assets,” i.e., in machine-readable, open format, unencumbered by use restrictions other than intellectual property rights, and based on an open standard that is maintained by a standards organization.<sup>324</sup> This requirement is to be implemented “in accordance with guidance by the Director” of OMB.<sup>325</sup> The term “public data asset” means “a data asset, or part thereof, maintained by the Federal Government that has been, or may be, released to the public, including any data asset, or part thereof, subject to disclosure under [the Freedom of Information Act (FOIA)].”<sup>326</sup> A “data asset” is “a collection of data elements or data sets that may be grouped together,”<sup>327</sup> and “data” is “recorded information, regardless of form or the media on which the data is recorded.”<sup>328</sup>

108. *Further Information.* For additional information on this proceeding, contact Mason Shefa, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau, at [Mason.Shefa@fcc.gov](mailto:Mason.Shefa@fcc.gov) or (202) 418-2494; Andrew McArdell, Attorney Advisor, Mobility Division, Wireless Telecommunications Bureau, at [Andrew.McArdell@fcc.gov](mailto:Andrew.McArdell@fcc.gov) or (202) 418-1576; Gabrielle Kim, Attorney Advisor, Telecommunications and Analysis Division, Office of International Affairs, at [Gabrielle.Kim@fcc.gov](mailto:Gabrielle.Kim@fcc.gov) or (202) 418-0730; Chris Smeenck, Attorney Advisor, Operations and Emergency Management Division, Public Safety and Homeland Security Bureau, at [Chris.Smeenck@fcc.gov](mailto:Chris.Smeenck@fcc.gov) or (202) 418-1630; Brendan Murray, Deputy Chief, Policy Division, Media Bureau, at [Brendan.Murray@fcc.gov](mailto:Brendan.Murray@fcc.gov) or (202) 418-1573; or Tanner Hinkel, Industry Economist, Office of Economics and Analytics, at [Tanner.Hinkel@fcc.gov](mailto:Tanner.Hinkel@fcc.gov) or (202) 418-1536.

## VI. ORDERING CLAUSES

109. Accordingly, IT IS ORDERED, pursuant to sections 1, 2, 3, 4(i), 4(n), 5, 201-205, 211-220, 222, 225, 251(e), 254, 301, 302, 303, 304, 307-310, 312, 316, 317, 319, 325, 332, 335, 336, 337, 338(i), 403, 409(e), 601, 631, and 653 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 153, 154(i), 154(n), 155, 201-205, 211-220, 222, 225, 251(e), 254, 301, 302a, 303, 304, 307-310, 312, 316, 317, 319, 325, 332, 335, 336, 337, 338(i), 403, 409(e), 521, 551, 573; sections 6001-6004, 6101-6102, 6201-6213, 6301-6303, 6401-6413, and 6502-6507 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. §§ 1401-1473; the Cable Landing License Act of 1921, 47 U.S.C. §§ 34-39; Executive Order No. 10,530, § 5(a), 19 Fed. Reg. 2709, 2711-12 (May 12, 1954), reprinted as amended in 3 U.S.C. § 301 note; section 601 of the Communications Satellite Act of 1961, 47 U.S.C. § 761; section 706 of the Telecommunications Act of 1996, 47 U.S.C. § 1302; and section 6(a) of the TRACED Act, 47 U.S.C. § 227b-1, this *Report and Order* IS ADOPTED.<sup>329</sup>

<sup>323</sup> Congress enacted the OPEN Government Data Act as Title II of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019), §§ 201-202.

<sup>324</sup> 44 U.S.C. §§ 3502(20), (22) (definitions of “open Government data asset” and “public data asset”), 3506(b)(6)(B) (public availability).

<sup>325</sup> See OMB Memorandum M-25-05, *Phase 2 Implementation of the Foundations for Evidence-Based Policymaking Act of 2018: Open Government Data Access and Management Guidance* (Jan. 15, 2025).

<sup>326</sup> 44 U.S.C. § 3502(22).

<sup>327</sup> *Id.* § 3502(17).

<sup>328</sup> *Id.* § 3502(16).

<sup>329</sup> Pursuant to Executive Order 14215, 90 Fed. Reg. 10447 (Feb. 20, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 Fed. Reg. 68708 (Dec. 28, 1993).

110. IT IS FURTHER ORDERED that this *Report and Order* SHALL BE EFFECTIVE 60 days after publication in the Federal Register. Compliance with section 1.80003 of the Commission's rules, 47 CFR § 1.80003, which may contain new or modified information collections, will not be required until the Office of Management and Budget completes review of any information collections that the Office of Economics and Analytics and the Public Safety and Homeland Security Bureau determine is required under the Paperwork Reduction Act. The Commission directs the Office of Economics and Analytics and the Public Safety and Homeland Security Bureau to announce the compliance date for section 1.80003 by subsequent Public Notice in the Federal Register, and to cause section 1.80003(m) to be revised accordingly.

111. IT IS FURTHER ORDERED that the Office of the Managing Director, Performance Program Management, SHALL SEND a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).

112. IT IS FURTHER ORDERED that the Commission's Office of the Secretary SHALL SEND a copy of this *Report and Order*, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary



**APPENDIX A****Final Rules**

**For the reasons set forth above, part 1 of title 47 of the Code of Federal Regulations is amended as follows:**

**PART 1 – PRACTICE AND PROCEDURE**

1. The authority citation for part 1 continues to read as follows:

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

2. Add subpart GG, consisting of §§ 1.80000 through 1.80004, to read as follows:

**Subpart GG – Foreign Adversary Control of Commission-Granted Licenses and Authorizations**

Sec.

**1.80000 Purpose.**

**1.80001 Definitions.**

**1.80002 Schedules of licenses and authorizations subject to Foreign Adversary Control rules.**

**1.80003 Foreign adversary control attestation and disclosures.**

**1.80004 Enforcement and streamlined revocation procedure.**

Authority: 47 U.S.C. chs. 2, 5, 9, 11, 12, 13, 15.

**§ 1.80000 Purpose.**

The purpose of this subpart is to mitigate the risk to national security and public safety of Foreign Adversary Control, as that term is defined in § 1.80001, of an individual or entity that holds a Commission license, lease, authorization, permit, grant, or other approval by requiring attestations and disclosures regarding any such Foreign Adversary Control by the holder of such license, lease, authorization, permit, grant, or other approval, and by an applicant for such license, lease, authorization, permit, grant, or other approval as set forth in § 1.80003(g)(4).



**§ 1.80001 Definitions.**

(a) *Covered Authorization*. The term *Covered Authorization* means a license, lease, authorization, permit, grant, or other approval granted by the Commission that appears on a Schedule as described in § 1.80002.

(b) *Foreign adversary*. The term *foreign adversary* is given the same meaning as defined in § 1.70001(e).

(c) *Foreign adversary country*. The term *foreign adversary country* is given the same meaning as defined in § 1.70001(f).

(d) *Licensing Bureaus and Offices*. The term *Licensing Bureaus and Offices* means a Federal Communications Commission Bureau or Office that grants a license, lease, authorization, permit, grant, or other approval held by a Regulatee as defined in paragraph (f) of this section. These include the Consumer and Governmental Affairs Bureau, Media Bureau, Public Safety and Homeland Security Bureau, Space Bureau, Wireless Telecommunications Bureau, Wireline Competition Bureau, Office of Economics and Analytics, Office of Engineering and Technology, and Office of International Affairs.

(e) *Owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary*. The term *owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary* is given the same meaning as defined in § 1.70001(g). The term *Foreign Adversary Control* is used coterminously with this term for the purposes of this subpart.

(f) *Regulatee*. The term *Regulatee* refers to the holder or grantee of a Covered Authorization as defined in paragraph (a) of this section, or an applicant therefor.

(g) *Schedule*. The term *Schedule* refers to the groupings used to categorize Covered Authorizations and Regulatees, as described in § 1.80002, based on the applicable attestation and disclosure requirements.

(h) *Small entity*. The term *small entity* means a Regulatee with a size not exceeding the size standards listed in 13 CFR 121.201.

**§ 1.80002 Schedules of Covered Authorizations subject to Foreign Adversary Control rules.**

(a) *Schedule A Covered Authorizations*.

Table 1 to Paragraph (a)

Legal Authority Citation	Covered Authorization Type	Qualification(s)
47 CFR parts 22, 24, 27, 30, 90, 96, and 101	Broadband-capable, geographic-area wireless licenses in the following services: <ul style="list-style-type: none"> <li>• AWS-4 (2000-2020 MHz and 2180-2200 MHz)</li> <li>• AWS-H Block (at 1915-1920 MHz and 1995-2000 MHz)</li> <li>• AWS-3 (1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz)</li> <li>• AWS (1710-1755 MHz and 2110-2155 MHz)</li> <li>• 1670-1675 MHz Band, Market Area</li> <li>• Broadband Radio Service</li> <li>• 900 MHz Broadband Service</li> <li>• Commercial Aviation Air-Ground Radiotelephone (800 MHz band)</li> <li>• Cellular</li> <li>• PCS Broadband</li> <li>• 1910-1915/1990-1995 MHz Bands, Market Area</li> <li>• Educational Broadband Service</li> <li>• 3.45 GHz Service</li> <li>• 3.5 GHz Band Priority Access License</li> <li>• 3.7 GHz Service</li> <li>• Upper Microwave Flexible Use Service</li> <li>• Wireless Communications Service</li> <li>• 600 MHz Band</li> <li>• 700 MHz Upper Band (Block C)</li> <li>• 700 MHz Lower Band (Blocks A, B &amp; E)</li> <li>• 700 MHz Lower Band (Blocks C, D)</li> </ul>	
47 CFR parts 26, 87, 90, 95, and 96	Frequency coordinator certifications	
47 U.S.C. 310(b); 47 CFR part 1	Section 310(b) declaratory rulings	
47 CFR part 25	Space and earth station authorizations	
47 CFR parts 73, 74, 76, and 78	<ul style="list-style-type: none"> <li>• Broadcast licenses (AM, FM, LPFM, FM translator, FM Booster, Full Power TV, Class A TV, LPTV, TV translator)</li> <li>• Cable television relay service station (CARS) licenses</li> </ul>	The holder of which has 6 or more full-time employees.
47 CFR part 73	International broadcast station licenses	The holder of which has 6 or more full-time employees.

Legal Authority Citation	Covered Authorization Type	Qualification(s)
47 U.S.C. 325(c); 47 CFR part 73	Section 325(c) authorizations	The holder of which has 6 or more full-time employees.
Cable Landing License Act of 1921; Executive Order 10530 of 1954; 47 CFR part 1	Submarine cable landing licenses	
47 U.S.C. 214(a); 47 CFR part 63	Domestic section 214(a) authorizations	
47 U.S.C. 214(e), 47 CFR part 54, subpart C	Eligible telecommunications carrier designations	
47 U.S.C. 214; 47 CFR part 63	International section 214 authorizations	
47 CFR part 52	Interconnected Voice over Internet Protocol direct access to numbering resources authorizations	
47 CFR part 2, subpart J	Equipment certifications	
47 CFR part 1; ITU-T Recommendation X.121	Data network identification codes	
47 CFR part 1; ITU-T Recommendation Q.708	International signaling point codes	
47 CFR part 1; 47 CFR part 63; Constitution and Convention of the International Telecommunication Union	Recognized operating agencies	
47 U.S.C. 225; 47 CFR part 64, subpart F	Internet-based telecommunications relay services certifications	

(b) *Schedule B Covered Authorizations.*

Table 2 to Paragraph (b)

Legal Authority Citation	Covered Authorization Type	Qualification(s)
47 CFR parts 22, 24, 26, 27, 30, 74, 80, 87, 90, 95, 97, and 101	Geographic and site-based wireless licenses in the following services: <ul style="list-style-type: none"> <li>• Aviation Auxiliary Group</li> <li>• Aural Microwave Booster</li> <li>• Aeronautical and Fixed</li> <li>• Aural Intercity Relay</li> <li>• Aviation Radionavigation</li> <li>• Aural Studio Transmitter Link</li> </ul>	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	<ul style="list-style-type: none"> <li>• 3.5 GHz General Authorized Access (licensed by rule)</li> <li>• 1390-1392 MHz Band, Market Area</li> <li>• 1392-1395 and 1432-1435 MHz Bands, Market Area</li> <li>• BETRS</li> <li>• Paging and Radiotelephone</li> <li>• Digital Electronic Message Service - Common Carrier</li> <li>• Common Carrier Fixed Point to Point Microwave</li> <li>• General Aviation Air-ground Radiotelephone</li> <li>• PCS Narrowband</li> <li>• Offshore Radiotelephone</li> <li>• Part 22 VHF/UHF Paging (excluding 931MHz)</li> <li>• Rural Radiotelephone</li> <li>• Local Television Transmission</li> <li>• Part 22 931 MHz Paging</li> <li>• Multichannel Video Distribution and Data Service</li> <li>• Business, 806-821/851-866 MHz, Conventional</li> <li>• 929-931 MHz Band, Auctioned</li> <li>• Other Indust/Land Transp, 896-901/935-940 MHz, Conv.</li> <li>• Business/Industrial/Land Trans, 809-824/854-869 MHz, Conv.</li> <li>• 800 MHz Conventional SMR (SMR, Site-specific)</li> <li>• Other Indust/Land Transp, 806-821/851-866 MHz, Conv.</li> <li>• SMR, 896-901/935-940 MHz, Conventional</li> <li>• Private Carrier Paging, 929-930 MHz</li> <li>• Business, 896-901/935-940 MHz, Conventional</li> <li>• SMR, 806-821/851-866 MHz, Conventional</li> <li>• Industrial/Business Pool, Conventional</li> <li>• Industrial/Business Pool - Commercial, Conventional</li> <li>• Intelligent Transportation Service (Public Safety)</li> <li>• Local Multipoint Distribution Service</li> <li>• 902-928 MHz Location Narrowband (Non-multilateration)</li> <li>• Broadcast Auxiliary Low Power</li> <li>• Location and Monitoring Service, Multilateration (LMS)</li> <li>• Low Power Wireless Assist Video Devices</li> <li>• 902-928 MHz Location Wideband (Grandfathered AVM)</li> <li>• Marine Auxiliary Group</li> <li>• Coastal Group</li> <li>• Microwave Industrial/Business Pool</li> </ul>	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	<ul style="list-style-type: none"> <li>• Alaska Group</li> <li>• Millimeter Wave 70/80/90 GHz Service</li> <li>• Marine Radiolocation Land</li> <li>• Multiple Address Service, Auctioned</li> <li>• Microwave Public Safety Pool</li> <li>• Nationwide Commercial 5 Channel, 220 MHz</li> <li>• 3650-3700 MHz</li> <li>• Public Coast Stations, Auctioned</li> <li>• Digital Electronic Message Service - Private</li> <li>• 220-222 MHz Band, Auctioned</li> <li>• Non-Nationwide Data, 220 MHz</li> <li>• Non-Nationwide Public Safety/Mutual Aid, 220 MHz</li> <li>• Non-Nationwide Other, 220 MHz</li> <li>• Intelligent Transportation Service (Non-Public Safety)</li> <li>• Non-Nationwide 5 Channel Trunked, 220 MHz</li> <li>• Broadcast Auxiliary Remote Pickup</li> <li>• Land Mobile Radiolocation</li> <li>• TV Microwave Booster</li> <li>• MSS Ancillary Terrestrial Component (ATC) Leasing</li> <li>• TV Intercity Relay</li> <li>• TV Pickup</li> <li>• TV Studio Transmitter Link</li> <li>• TV Translator Relay</li> <li>• Microwave Aviation</li> <li>• Microwave Marine</li> <li>• Microwave Radiolocation</li> <li>• 700 MHz Guard Band</li> <li>• Business, 806-821/851-866 MHz, Trunked</li> <li>• SMR, 806-821/851-866 MHz, Auctioned</li> <li>• SMR, 896-901/935-940 MHz, Auctioned</li> <li>• Industrial/Business Pool, Trunked</li> <li>• SMR, 806-821/851-866 MHz, Auctioned (Rebanded YC license)</li> <li>• Other Indust/Land Transp. 896-901/935-940 MHz, Trunked</li> <li>• Business/Industrial/Land Trans, 809-824/854-869 MHz, Trunked</li> <li>• Industrial/Business Pool - Commercial, Trunked</li> <li>• 800 MHz Trunked SMR (SMR, Site-specific)</li> <li>• Other Indust/Land Transp. 806-821/851-866 MHz, Trunked</li> <li>• SMR, 896-901/935-940 MHz, Trunked</li> <li>• Business, 896-901/935-940 MHz, Trunked</li> <li>• SMR, 806-821/851-866 MHz, Trunked</li> </ul>	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	<ul style="list-style-type: none"> <li>218-219 MHz Service</li> </ul>	
47 CFR part 101, subpart Q	Database Managers for 70/80/90 GHz Band Registrations	
47 CFR part 17	Mandatorily filed antenna structure registrations	
47 CFR parts 73 and 74	<ul style="list-style-type: none"> <li>Broadcast licenses (AM/FM/LPFM/FM Translator/FM Booster/Full Power TV/Class A TV/LPTV/TV translator)</li> <li>Cable television relay service station (CARS) licenses</li> </ul>	Not included in Schedule A
47 CFR part 73	International broadcast station licenses	Not included in Schedule A
47 U.S.C. 325(c); 47 CFR part 73	Section 325(c) authorizations	Not included in Schedule A

(c) *Schedule C Covered Authorizations.*

Table 3 to Paragraph (c)

Legal Authority Citation	Covered Authorization Type	Qualification(s)
47 CFR part 17	Voluntarily filed antenna structure registrations	
47 CFR part 1	Commission auction applications	
47 CFR parts 80, 87, 90, 95, 97, and 101	<p>Wireless licenses in the following services:</p> <ul style="list-style-type: none"> <li>Aircraft</li> <li>Commercial Operator</li> <li>Amateur</li> <li>Vanity</li> <li>Restricted Operator</li> <li>Ship Recreational or Voluntarily Equipped</li> <li>Ship Compulsory Equipped</li> <li>General Mobile Radio (GMRS)</li> <li>PubSafty/SpecEmer/PubSaftyNtlPlan,806-817/851-862MHz,Conv</li> <li>Public Safety Ntl Plan, 821-824/866-869 MHz, Conv.</li> <li>Public Safety/Spec Emerg, 806-821/851-866 MHz, Conv.</li> <li>Public Safety 4940-4990 MHz Band</li> <li>4940-4990 MHz Public Safety, Base/Mobile</li> <li>4940-4990 MHz Public Safety, Pt-to-Pt, Pt-to-Multi-Pt</li> <li>Public Safety Pool, Conventional</li> <li>Conventional Public Safety 700 MHz</li> <li>Public Safety 700 MHz Band-State License</li> <li>700 MHz Public Safety Broadband Nationwide License</li> <li>Trunked Public Safety 700 MHz</li> <li>PubSafty/SpecEmer/PubSaftyNtlPlan,806-817/851-</li> </ul>	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	862MHz, Trunked <ul style="list-style-type: none"> <li>Public Safety Ntl Plan, 821-824/866-869 MHz, Trunked</li> <li>Public Safety/Spec Emerg, 806-821/851-866 MHz, Trunked</li> <li>Public Safety Pool, Trunked</li> </ul>	
47 CFR part 13	Part 13 radio operator licenses and permits	
47 CFR 2.1071 through 2.1077	Supplier's Declaration of Conformity	

(d) *Publication of the Schedules.* The Office of Economics and Analytics, in coordination with the Licensing Bureaus and Offices, shall publish the Schedules on the Commission's website, and maintain and update the Schedules in accordance with paragraph (e)(2) of this section.

(e) *Updates to the Schedules.*—(1) A Licensing Bureau or Office may, upon petition or its own motion, conduct a notice-and-comment rulemaking to modify one or more Schedules as it pertains to a Covered Authorization over which the Commission has delegated the Licensing Bureau or Office appropriate authority.

(2) The Licensing Bureau or Office shall adopt such modification(s) upon determination that such a revision is necessary or appropriate based on an analysis that weighs the following criteria:

(i) National security risk, taking into account:

(A) Type and size of Regulatee;

(B) Applicable communications sector;

(C) Nature and type of underlying infrastructure;

(D) Possibility and probability of Foreign Adversary Control, as defined in § 1.80001(e); and

(E) The existence of risk-mitigating Commission regulations in this part;

(ii) Administrability;

(iii) Burden on Regulatee, including consideration of substantially duplicative reporting requirements; and

(iv) Other criteria deemed relevant by the Licensing Bureau or Office.

(3) The Licensing Bureaus and Offices shall provide written notice to announce a Schedule modification, including a filing deadline for new attestations required by § 1.80003, where applicable, that is no earlier than 30 days after the effective date of the public notice.

**§ 1.80003 Foreign adversary control attestation and disclosures.**

(a) *Schedule A attestations.* Except as provided in paragraph (e) of this section, an officer or other authorized representative of an entity holding or applying for a Covered Authorization listed in Schedule A, shall attest to the Commission that it is or is not owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary as defined in § 1.80001(e). Schedule A includes Covered Authorizations thus identified in § 1.80002(a).

(b) *Schedule B attestations.* Except as provided in paragraph (e) of this section, an officer or other authorized representative of an entity holding or applying for a Covered Authorization listed in Schedule B, that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary as defined in § 1.80001(e), shall attest to the Commission thereof. Schedule B includes Covered Authorizations thus identified in § 1.80002(b).

(c) *Schedule C attestations.* An officer or other authorized representative of an entity holding or applying for a Covered Authorization listed in Schedule C is exempt from filing initial attestations required by this section. Schedule C includes Covered Authorizations thus identified in § 1.80002(c).

(d) *Regulatees holding or applying for Covered Authorizations in different Schedules.* An officer or other authorized representative of an entity holding or applying for Covered Authorizations listed in different Schedules shall attest according to the requirements of the Covered Authorization listed in a Schedule that applies more reporting requirements. For example, if an entity holds or applies for a Covered Authorization from Schedule A and another from Schedule B, the entity shall only file a single attestation, according to the rules for Schedule A attestations.

(e) *Exemptions.* No state or local government agency, federally recognized Tribal Nation, or business controlled by a federally recognized Tribal Nation is subject to the provisions in this subpart.



(f) *Deadline for initial attestations.* Except as provided in paragraph (g) of this section, an entity shall file any attestation required by paragraph (a) or (b) of this section no later than 60 days after the publication of a public notice announcing the creation of the attestation portal, and shall attest to its Foreign Adversary Control status as of the publication date of the same public notice.

(g) *Deadline for initial attestations made by small entities.* A small entity shall file any attestation required by paragraph (a) or (b) of this section no later than 120 days after the publication of a public notice announcing the creation of the attestation portal, and shall attest to its Foreign Adversary Control status as of the publication date of the same public notice.

(h) *Additional disclosures for entities subject to Foreign Adversary Control.* Except as provided in paragraph (e) of this section, an entity holding or applying for a Covered Authorization listed in Schedule A, B, or C that attests that it is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, shall disclose to the Commission subject to the applicable deadline set forth in paragraphs (f), (g), or (j) of this section, or a deadline set by a Licensing Bureau or Office pursuant to § 1.80002(e)(3):

(1) All 5% or greater direct or indirect equity and/or voting interest holders, and controlling interest holders, specifically:

(i) For each reported natural person interest holder, his or her:

(A) Name;

(B) Address;

(C) Country or countries of citizenship;

(D) Percentage of equity and/or voting interest, and all controlling interests, held directly or indirectly in the Regulatee; and

(ii) For each reported entity (including a government entity) interest holder, its:

(A) Name;

(B) Address;

(C) Country under the laws of which the entity is organized;

(D) Country of the principal place of business, headquarters, and place of incorporation or organization;

(E) Type of entity and principal business(es);

(F) Percentage of equity and/or voting interest, and all controlling interests, held directly or indirectly in the Regulatee; and

(iii) An ownership diagram that illustrates the Regulatee's vertical ownership structure, including the direct and indirect equity and/or voting interests, and/or controlling interests, as applicable, held by the individuals and entities named in response to this paragraph (h)(1). Every such individual or entity with equity and/or voting interests shall be depicted and all controlling interests must be identified. For disclosures provided pursuant to paragraphs (j)(3)(ii), (j)(4)(ii), and (j)(5)(ii) of this section, the ownership diagram shall include both the pre-transaction and post-transaction ownership of the Regulatee;

(2) The identity of the foreign adversary or foreign adversary country the Regulatee is owned by, controlled by, or subject to the jurisdiction or direction of; and

(3) The nature of the Foreign Adversary Control to which the Regulatee is subject.

(4) An entity filing a disclosure pursuant to this paragraph (h) shall include a statement certifying to the truth and accuracy of all information included in the disclosure.

(i) *Eligible U.S. public companies.* A Regulatee that is an eligible U.S. public company, as that term is defined in § 1.5000(e), and that is subject to the reporting requirements set forth in paragraph (h) of this section, shall follow the same standards set forth in § 1.5000(e), to the extent applicable, in its reporting under paragraph (h) of this section.

(j) *Ongoing attestation and disclosure requirements.* After the deadline for initial attestations set forth in paragraphs (f) and (g) of this section, the following entities shall file a new attestation pursuant to paragraphs (a) and (b) of this section, as applicable, and, if affirmative, the additional disclosures required by paragraph (h) of this section:

(1) Any Regulatee holding a Covered Authorization designated in Schedule A or B, regardless of whether it has already filed an attestation;

(i) Within 30 days of the Regulatee becoming subject to Foreign Adversary Control, to the extent such change does not require Commission approval; or

(ii) Within 60 days, or for small entities within 120 days, of the effective date of an addition to the Department of Commerce's list of foreign adversaries in 15 CFR 791.4 of a foreign government or foreign non-government person that has Foreign Adversary Control over the Regulatee;

(2) Any holder of a Covered Authorization newly designated in Schedule A regardless of whether it has already filed an attestation, within 30 days of the effective date of a public notice announcing the designation;

(3) A Regulatee holding a Covered Authorization designated in Schedule A or B that is subject to Foreign Adversary Control, or any Regulatee whose last attestation was affirmative;

(i) Upon application for any new Covered Authorization;

(ii) Upon application for a transfer of control or assignment, except a *pro forma* transfer of control or assignment as defined in § 63.24(d), of any Covered Authorization held by the Regulatee, of which it is the transferor, transferee, assignor, or assignee;

(iii) Upon application for a renewal of any Covered Authorization;

(iv) Upon application for a modification of any Covered Authorization;

(v) Within 30 days of any changes to 5% or greater direct or indirect equity and/or voting interests, or controlling interests, held in the Regulatee; or

(vi) Within 30 days of the effective date of a public notice designating a Covered Authorization held by the Regulatee in Schedule B;

(4) Any entity regardless of Foreign Adversary Control;

(i) Upon application for its first Covered Authorization designated in Schedule A; or

(ii) Upon application to be the transferee or assignee of its first Covered Authorization

designated in Schedule A, except in the case of a *pro forma* transfer of control or assignment as defined in § 63.24(d);

(5) Any entity that is subject to Foreign Adversary Control;

(i) Upon application for its first Covered Authorization designated in Schedule B;

(ii) Upon application to be the transferee or assignee of its first Covered Authorization designated in Schedule B, except in the case of a *pro forma* transfer of control or assignment as defined in § 63.24(d); or

(iii) Upon application for modification of a Covered Authorization designated in Schedule A or B that would cause the entity to be a licensee or lessee of the Covered Authorization; and

(6) Any Regulatee whose last attestation was affirmative within 30 days of its determination that it is no longer subject to Foreign Adversary Control.

(k) *Foreign adversary control filing method.* The Office of Economics and Analytics and the Public Safety and Homeland Security Bureau, in coordination with Licensing Bureaus and Offices, shall announce the creation of the attestation portal and the method of filing the attestations and disclosures required by this section therein.

(l) *Administration.* The Commission delegates authority to the Office of Economics and Analytics and the Public Safety and Homeland Security Bureau, in consultation with the Licensing Bureaus and Offices where appropriate, to adopt necessary policies and procedures relating to the administration of the information collection described in this section, including rule clarifications and further guidance, modification of deadlines, and publication of reported information.

(m) *Compliance date.* Compliance with this section will not be required until after the completion of such review by the Office of Management and Budget as the Office of Economics and Analytics and the Public Safety and Homeland Security Bureau deem necessary. The Commission will publish a document in the Federal Register announcing that compliance date and revising or removing this paragraph (m) accordingly.

**§ 1.80004 Enforcement and streamlined revocation procedure.**

(a) *Enforcement.* The Commission may take enforcement action against a Regulatee for failure to comply with the deadlines in § 1.80003; for an incomplete or inaccurate filing, including a false statement or representation; or if the Commission assesses that Foreign Adversary Control of the Covered Authorization may pose an unacceptable risk to national security. Prior to taking enforcement action, the Enforcement Bureau shall:

- (1) Review referrals and coordinate with the applicable Licensing Bureaus and Offices where appropriate; and
- (2) Consider national security risks, potential harms to the public, any effect on downstream providers, and other factors presented by the Regulatee when determining an appropriate enforcement action.

(b) *Streamlined revocation procedure.* To the extent consistent with applicable law, and except in cases of willfulness or those in which public health, interest, or safety requires otherwise, prior to revoking a Regulatee's Covered Authorization, the Enforcement Bureau and/or Licensing Bureau or Office

(1) Shall issue a public Notice of Deficiency and Opportunity to Comply—consistent with the provisions of § 1.89, except that the response period shall be 30 days—and provide courtesy copy to the Regulatee's most recent contact information on file with the Commission that will:

- (i) Inform the Regulatee of the specific failure to comply, such as failure to file or other identified deficiencies;
- (ii) Provide thirty (30) calendar days to cure the deficiency and demonstrate why a revocation proceeding should not be initiated; and
- (iii) Specify that failure to provide a full and complete response within the 30-day period will result in an Order to Show Cause commencing a revocation proceeding;

(2) May, if the Regulatee fails to cure the filing defect or respond to the Notice of Deficiency and Opportunity to Comply, or where that step is not required due to willfulness or considerations of public health, interest, or safety, pursuant to 5 U.S.C. § 558(c), issue an Order to Show Cause to commence a revocation proceeding and provide the Regulatee fifteen (15) calendar days to explain why the Regulatee's Covered Authorization should not be revoked; and

(3) May, after the conclusion of the period for notice and opportunity to respond as specified in paragraphs (b)(1) and (2) of this section, issue an Order of Revocation revoking the Regulatee's Covered Authorization(s).

(c) *Review of submissions*—(1) *Failure to comply with deadlines*. The Licensing Bureaus and Offices may refer Regulatees that failed to timely file any filing required by this subpart to the Enforcement Bureau for possible enforcement action, including monetary penalties or commencement of the revocation process consistent with this section.

(2) *Incomplete or inaccurate responses*. Following the receipt of an attestation or disclosure required by § 1.80003, the Licensing Bureau or Office shall make a preliminary assessment on whether it has a reasonable basis for finding that the attestation and/or disclosures submitted by the Regulatee is incomplete or inaccurate. In making a preliminary assessment, the Licensing Bureau or Office shall consider:

- (i) Willfulness;
- (ii) Potential national security risks;
- (iii) Any effect on downstream providers;
- (iv) Any adverse impact on the public; and
- (v) Other factors the Licensing Bureau or Office deems relevant.

## APPENDIX B

### Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),<sup>1</sup> the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the *Protecting our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control (Notice)*, released in May 2025.<sup>2</sup> The Commission sought written public comment on the proposals in the *Notice*, including comment on the IRFA. The comments received are addressed below. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the Federal Register.<sup>3</sup>

#### A. Need for, and Objectives of, the Rules

2. The *Report and Order* adopts new attestation and disclosure requirements that will enhance the Commission's ability to assess and respond to emerging threats from Foreign Adversary Control over U.S. communications networks. This action builds upon the Commission's efforts to gain a more comprehensive and systematic view of threats posed by foreign adversaries. The adopted rules categorize licenses, leases, authorizations, permits, grants, and other Commission approvals into distinct groups, each subject to different attestation and disclosure requirements. Specifically, we adopt rules to establish a reporting framework that distinguishes and categorizes each Covered Authorization based on whether the Regulatee is: (A) required to submit an attestation either affirming or denying Foreign Adversary Control; (B) solely required to submit an attestation affirming Foreign Adversary Control; or (C) is not required to file an attestation in either event. We find this approach ensures the Commission receives the information it needs to promote national security while minimizing burdens to entities that present minimal or no national security risk. The *Report and Order* also sets forth the information to be collected for each group, method of collection, and, subject to statutory exceptions, a streamlined process for revocation for non-compliance. These rules will allow the Commission, as well as our law enforcement partners, to improve situational awareness and develop approaches to eliminate or mitigate national security threats from foreign adversaries.

#### B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

5. Comments regarding the impact of the rule on small entities were filed by Michael Ravnitzky.<sup>4</sup> In his comments, Ravnitzky suggested that reporting mechanisms should be tailored to accommodate the realities of small business, which could prevent undue consolidation in the industry and encourage continued innovation and competition.<sup>5</sup> As discussed in greater detail below in Section E, the Commission takes steps to minimize compliance burdens for small entities by exempting certain small entities from the initial attestation requirements, and provides an extended filing deadline for small entities that are required to attest that they are subject to Foreign Adversary Control.

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<sup>1</sup> 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

<sup>2</sup> *Protecting our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control*, GN Docket No. 25-166, Notice of Proposed Rulemaking, 40 FCC Rcd 3730, Appx. A (2025).

<sup>3</sup> 5 U.S.C. § 604.

<sup>4</sup> Michael Ravnitzky Comments at 1.

<sup>5</sup> *Id.*

**C. Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy**

6. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA,<sup>6</sup> the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments.<sup>7</sup> The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

**D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply**

7. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the adopted rules.<sup>8</sup> The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”<sup>9</sup> In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.<sup>10</sup> A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.<sup>11</sup> The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.<sup>12</sup>

8. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions.<sup>13</sup> In general, a small business is an independent business having fewer than 500 employees.<sup>14</sup> These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses.<sup>15</sup> Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and are not dominant in their field.<sup>16</sup> While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500

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<sup>6</sup> Small Business Jobs Act of 2010, Pub. L. No. 111-240, 124 Stat. 2504 (2010).

<sup>7</sup> 5 U.S.C. § 604 (a)(3).

<sup>8</sup> *Id.* at § 604.

<sup>9</sup> *Id.* at § 601(6).

<sup>10</sup> *Id.* at § 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.”

<sup>11</sup> 15 U.S.C. § 632.

<sup>12</sup> 13 CFR § 121.903.

<sup>13</sup> 5 U.S.C. § 601(3)-(6).

<sup>14</sup> See SBA, Office of Advocacy, *Frequently Asked Questions About Small Business* (July 23, 2024), [https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business\\_2024-508.pdf](https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business_2024-508.pdf).

<sup>15</sup> *Id.*

<sup>16</sup> 5 U.S.C. § 601(4).



employees.<sup>17</sup> Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand.<sup>18</sup> Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.<sup>19</sup>

9. The rules adopted in the *Report and Order* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS)<sup>20</sup> codes and corresponding SBA size standard.<sup>21</sup> Based on currently available U.S. Census data regarding the estimated number of small firms in each identified industry, we conclude that the adopted rules will impact a substantial number of small entities. Where available, we also provide additional information regarding the number of potentially affected entities in the identified industries below.

**Table 1. 2022 U.S. Census Bureau Data by NAICS Code**

<b>Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)</b>	<b>NAICS Code</b>	<b>SBA Size Standard</b>	<b>Total Firms<sup>22</sup></b>	<b>Total Small Firms<sup>23</sup></b>	<b>% Small Firms</b>
All Other Telecommunications <sup>24</sup>	517810	\$40 million	1,673	1,007	60.19%
Radio Broadcasting Stations <sup>25</sup>	516110	\$47 million	2,616	2,136	81.65%
Wired Telecommunications Carriers <sup>26</sup>	517111	1,500 employees	3,403	3,027	88.95%
Computer Infrastructure Providers, Data Processing, Web Hosting, and Related Services	518210	\$40 million	12,054	8,895	73.79%

<sup>17</sup> See SBA, Office of Advocacy, *Small Business Facts, Spotlight on Nonprofits* (July 2019), <https://advocacy.sba.gov/2019/07/25/small-business-facts-spotlight-on-nonprofits/>.

<sup>18</sup> 5 U.S.C. § 601(5).

<sup>19</sup> See U.S. Census Bureau, 2022 Census of Governments –Organization, <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>, tables 1-11.

<sup>20</sup> The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. See [www.census.gov/NAICS](http://www.census.gov/NAICS) for further details regarding the NAICS codes identified in this chart.

<sup>21</sup> The size standards in this chart are set forth in 13 CFR 121.201, by six digit NAICS code.

<sup>22</sup> U.S. Census Bureau, “Selected Sectors: Employment Size of Firms for the U.S.: 2022.” Economic Census, ECN Core Statistics Economic Census: Establishment and Firm Size Statistics for the U.S., Table EC2200SIZEEMPFI, 2025, and “Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2022.” Economic Census, ECN Core Statistics Economic Census: Establishment and Firm Size Statistics for the U.S., Table EC2200SIZEREF, 2025.

<sup>23</sup> *Id.*

<sup>24</sup> Affected Entities in this industry include Telecommunications Relay Service (TRS) Providers.

<sup>25</sup> Affected Entities in this industry include Amateur Radio Service and Auxiliary, Special Broadcast and Other Program Distribution Services.

<sup>26</sup> Affected Entities in this industry include Cable Companies and Systems (Rate Regulation), Cable System Operators (Telecom Act Standard), and Facilities-Based Carriers (International Telecom Carriers).

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS Code	SBA Size Standard	Total Firms <sup>22</sup>	Total Small Firms <sup>23</sup>	% Small Firms
Wireless Telecommunications Carriers (except Satellite) <sup>27</sup>	517112	1,500 employees	1,184	1,081	91.30%
Satellite Telecommunications <sup>28</sup>	517410	\$44 million	332	195	58.73%
Business Associations <sup>29</sup>	813910	\$15.5 million	14,599	13,134	89.97%
Web Search Portals and All Other Information Services	519290	1,000 employees	1,004	803	79.98%
Other Communications Equipment Manufacturing	334290	800 employees	310	294	94.84%
Radio and Television Broadcasting and Wireless Communications Equip Manufacturing <sup>30</sup>	334220	1,250 employees	155	136	87.74%
Telecommunications Resellers	517121	1,500 employees	955	847	88.69%
Television Broadcasting Stations <sup>31</sup>	516120	\$47 million	413	316	76.51%
Aircraft Manufacturing <sup>32</sup>	336411	1,500 employees	234	209	89.32%
Uncrewed Aircraft System (UAS) Operators	None	100 employees or less <sup>33</sup>	Data Not Disclosed	Data Not Disclosed	92.20% <sup>34</sup>

**Table 2. Telecommunications Service Provider Data**

2024 Universal Service Monitoring Report Telecommunications Service Provider Data <sup>35</sup> (Data as of December 2023)	SBA Size Standard (1500 Employees)		
Affected Entity	Total # FCC Form 499A Filers	Small Firms	% Small Entities

<sup>27</sup> Affected Entities in this industry include Fixed Microwave Services and Private Land Mobile Radio Licensees (PLMR).

<sup>28</sup> Affected Entities in this industry include Fixed Satellite Small Transmit/Receive Earth Stations and Mobile Satellite Earth Stations.

<sup>29</sup> Affected Entities in this industry include Frequency Coordinators.

<sup>30</sup> Affected Entities in this industry include Uncrewed Aircraft Radio Equipment Manufacturers.

<sup>31</sup> Affected Entities in this industry include Auxiliary, Special Broadcast and Other Program Distribution Services.

<sup>32</sup> Affected Entities in this industry include Uncrewed Aircraft Radio Equipment Manufacturers.

<sup>33</sup> See Federal Aviation Administration, Department of Transportation, Remote Identification of Unmanned Aircraft, 86 Fed. Reg. 4390, 4494 (Jan. 15, 2021) (*Remote ID Rule*).

<sup>34</sup> *Id.*

<sup>35</sup> Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2024), <https://docs.fcc.gov/public/attachments/DOC-408848A1.pdf>.

2024 Universal Service Monitoring Report Telecommunications Service Provider Data <sup>35</sup> (Data as of December 2023)	SBA Size Standard (1500 Employees)		
Affected Entity	Total # FCC Form 499A Filers	Small Firms	% Small Entities
Telecommunications Resellers	633	615	97.16
Wired Telecommunications Carriers <sup>36</sup>	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite) <sup>37</sup>	585	498	85.13

**Table 3. Broadcast Entity Data**

Broadcast Station Owners (as of August 8, 2025)	SBA Size Standard (\$47 Million)		
Affected Entity	# Commercial Licensed <sup>38 39</sup>	Small Firms	% Small Entities
Radio Stations (AM & FM) Groups	2,881	2,863	99.38
Television Stations	171	142	83.04

**Table 4. Cable Entities Data**

Cable Entities	Size Standard	Total Firms	Small Firms	% Small Firms in Industry
Cable System Operators (Telecom Act Standard)	Serves fewer than 498,000 subscribers, either directly or through affiliates <sup>40 41</sup>	530 <sup>42</sup>	524 <sup>43</sup>	98.87%
Small Cable Operator				

<sup>36</sup> Local Resellers fall into another U.S. Census Bureau industry (Telecommunications Resellers) and therefore data for these providers is not included in this industry.

<sup>37</sup> Affected Entities in this industry include all reporting wireless carriers and service providers.

<sup>38</sup> According to Commission staff review of the BIA Kelsey Inc. Media Access Pro Television Database (BIA) on August 8, 2025.

<sup>39</sup> As of September 30, 2025, there were 1,389 licensed commercial television stations. There were also 1,343 licensed commercial AM radio stations and 6,594 licensed commercial FM radio stations, for a combined total of 10,937 commercial radio stations. Additionally, there were 4,730 licensed noncommercial (NCE) FM radio stations, 1,985 low power FM (LPFM) stations, 8,871 FM translators and boosters, 387 licensed noncommercial educational (NCE) television stations, 397 Class A TV stations, 1,759 LPTV stations and 3,096 TV translator stations. *Broadcast Station Totals as of September 30, 2025*, Public Notice, DA 25-964 (rel. Nov. 25, 2025) (*November 2025 Broadcast Station Totals PN*), <https://docs.fcc.gov/public/attachments/DA-25-964A1.pdf>.

<sup>40</sup> Pursuant to 47 U.S.C. § 543(m)(2) of the Communications Act of 1934, as amended, the size standard for a “small cable operator,” is a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1% of all U.S. subscribers and has no affiliation with entities with gross annual aggregate revenues exceed \$250,000,000.

<sup>41</sup> *FCC Announces Updated Subscriber Threshold for the Definition of Small Cable Operator*, Public Notice, DA 23-906 (MB 2023) (*2023 Subscriber Threshold PN*). In the Public Notice, the Commission determined that there were approximately 49.8 million cable subscribers in the United States at that time using the most reliable source

(continued....)

Cable Entities	Size Standard	Total Firms	Small Firms	% Small Firms in Industry
Cable Companies and Systems (Rate Regulation) Small Cable Company	Serves 400,000 or fewer subscribers nationwide <sup>44 45</sup>	530 <sup>46</sup>	523 <sup>47</sup>	98.51%
Cable Companies and Systems (Rate Regulation) Small Cable System (headends)	Serves 15,000 or fewer subscribers <sup>48</sup>	4,545 <sup>49</sup>	3,965 <sup>50</sup>	87.24%

**E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities**

10. The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.<sup>51</sup>

11. The *Report and Order* adopts reporting requirements based on a variety of factors including national security risk of Foreign Adversary Control and reporting burdens. Specifically, the Commission exempts Covered Authorizations designated in Schedule C from the initial attestation requirements for a variety of reasons, including that they are typically held by individuals or small entities that may pose a lesser risk to national security should they be under Foreign Adversary Control.<sup>52</sup> Other entities, such as broadcasters with five or fewer employees, are only required to complete an attestation if the entity is subject to Foreign Adversary Control. Small entities that are required to file this attestation must do so within 120 days of the public notice announcing the launch of the Foreign Adversary Control System. This approach ensures the Commission receives the information it needs to promote national security while minimizing burdens to small and other entities that present minimal or no national security risk.

12. In the *Report and Order*, the Commission affirms its estimates that a one-time foreign

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publicly available. This threshold will remain in effect until the Commission issues a superseding Public Notice. See 47 CFR § 76.901(e)(1).

<sup>42</sup> Based on Commission staff review of S&P Global Market Intelligence, S&P Capital IQ Pro, U.S., *Broadband & Video Subscribers by Geography Q3-2025(June 2025)* data (last visited Sept. 15, 2025).

<sup>43</sup> *Id.*

<sup>44</sup> 47 CFR § 76.901(d).

<sup>45</sup> *Id.*

<sup>46</sup> Based on Commission staff review of S&P Global Market Intelligence, S&P Capital IQ Pro, U.S., *Broadband & Video Subscribers by Geography Q3-2025(June 2025)* data (last visited Sept. 15, 2025).

<sup>47</sup> *Id.*

<sup>48</sup> 47 CFR § 76.901(c).

<sup>49</sup> Based on Commission staff review of S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensusDW, *Operator Subscribers by Geography Q3-2025(June 2025)* data (last visited Sept. 15, 2025).

<sup>50</sup> *Id.*

<sup>51</sup> 5 U.S.C. § 604(a)(5).

<sup>52</sup> *Report and Order*, Section III.A.2 ((Establishing a Risk-Based Framework of Schedules to Classify Covered Authorizations).

adversary reporting cost would be \$116 per Regulatee.<sup>53</sup> We find that many Regulatees are already subject to the Commission's existing foreign ownership reporting requirements and are familiar with similar reporting requirements, thereby, lessening the additional burden that would be imposed on these entities.<sup>54</sup> Further, a privately held company likely knows the investors or stakeholders that hold interests of 10% or greater or exert significant control over its business directives, while a publicly held company is required to identify its interest holders in requisite filings with the U.S. Securities and Exchange Commission.<sup>55</sup> We also observe that certain types of small entities are less likely to be subject to Foreign Adversary Control and may therefore be subject to an exemption from the attestation and reporting requirements.

#### **F. Discussion of Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered**

13. The RFA requires an agency to provide, "a description of the steps the agency has taken to minimize the significant economic impact on small entities...including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected."<sup>56</sup>

14. In the *Report and Order*, the Commission considers a number of alternatives to minimize the economic impact of its attestation and disclosure requirements on small entities, especially those entities that are unlikely to pose national security concerns. First, the Commission creates a sliding-scale Schedule-based approach to the application of our attestation and disclosure requirements to minimize the burdens of complying across differently situated Regulatees. The exploitation of some larger entities, such as many designated Schedule A, can cause negative impacts to multiple networks. In contrast, small entities' role in communications networks generally presents minimal national security risks because many lack sufficient connection to commercial communications networks, and they are less likely to be under Foreign Adversary Control. Further, they are subject to other existing reporting obligations that provide sufficient visibility into their ownership or control, or they are already subject to other Commission regulations that adequately address the risks of Foreign Adversary Control. Specifically, instead of requiring all Regulatees to submit an attestation, we exempt certain types of Covered Authorizations (those designated in Schedule C) from the initial attestation requirements for a variety of reasons including, for some Covered Authorizations, that they are typically or exclusively held by individuals or small entities.<sup>57</sup> For other entities, such as broadcasters with 5 or fewer employees, we reduce compliance burdens by only requiring an attestation where the entity is subject to Foreign Adversary Control. While other Schedule assignments may not be directly based on size, we require the licensing Bureaus and Offices to consider the size of a Regulatee in determining any changes to the

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<sup>53</sup> Consistent with the Commission's calculations in Paperwork Reduction Act (PRA) statements, we estimated the median hourly wage for support staff (paralegals and legal assistants) as \$40. To account for estimated benefits, we added 45% for a total hourly labor cost of \$58. See *Foreign Adversary Control Notice*, 40 FCC Rcd at 3760, para. 70 & n.131. We estimated that for this one-time review, each Regulatee would spend about two hours total to research and report any 10% or greater foreign-adversary ownership stake.

<sup>54</sup> See, e.g., 47 CFR §§ 63.18(h) (requiring a disclosure of 10% or more of the equity and/or voting interests for international section 214 authorizations), 63.04(a)(4) (requiring a disclosure of 10% or more of the equity and/or voting interests for domestic section 214 transfer of control applications), 73.1020 (requiring all existing broadcast licensees to submit information about foreign ownership every eight years).

<sup>55</sup> 15 U.S.C. § 78m(d)(1).

<sup>56</sup> 5 U.S.C. § 604(a)(6).

<sup>57</sup> *Supra Report and Order*, Section III.A.2 (Establishing a Risk-Based Framework of Schedules to Classify Covered Authorizations).

Schedules on an ongoing basis.

15. Further, the Commission adopts an extended filing deadline for initial attestations and disclosures for small entities, recognizing that small entities may have fewer resources.<sup>58</sup> Small entities are required to file within 120 days after the effective date of the rules or the public notice announcing the launch of the Foreign Adversary Control System, whichever is later, while larger entities are required to file within 60 days.<sup>59</sup> Doubling the duration of the filing period for small-entity Regulatees will reduce the burden of ascertaining the extent of Foreign Adversary Control of Covered Authorizations and becoming familiarized with any related compliance obligations in a timely manner. Further, this action will better accommodate smaller entities, who frequently have limited resources and compliance capacity. When considered in their totality, we find these actions will meet the Commission's objectives of increasing transparency regarding Foreign Adversary Control while significantly reducing the economic impact on small entities and individual licensees.

#### **G. Report to Congress**

16. The Commission will send a copy of the *Report and Order*, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act.<sup>60</sup> In addition, the Commission will send a copy of the *Report and Order*, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the SBA and will publish a copy of the *Report and Order*, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the Federal Register.<sup>61</sup>

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<sup>58</sup> *Supra Report and Order*, Section III.C.3 (Deadline).

<sup>59</sup> *Id.*

<sup>60</sup> 5 U.S.C. § 801(a)(1)(A).

<sup>61</sup> *Id.* § 604(b).