6712-01

This document is scheduled to be published in the Federal Register on 04/10/2026 and available online at **https://www.federalregister.gov/d/2026-06992**, and on **https://govinfo.gov**

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 73

[GN Docket No. 25-166; FCC 26-2; FR ID 338486]

Protecting Our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) addresses the risks of foreign adversary control of Commission-granted licenses and authorizations by adopting rules 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. Among other things, the Commission defines categories of licenses and authorizations that are subject to the rules, and establishes a streamlined process by which license and authorization holders should file their foreign adversary control attestations and disclosures.

DATES: *Effective date*: Effective **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN FEDERAL REGISTER]**.

Compliance date: Compliance with §§ 1.80003 and 73.1212(j)(8) of the Commission's rules, 47 CFR 1.80003 and 73.1212(j)(8), will not be required until the Commission announces the compliance date for §§ 1.80003 and 73.1212(j)(8) by notification in the **Federal Register** and revises §§1.80003 and 73.1212(j)(8) accordingly.

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SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order* in GN Docket No. 25-166, FCC 26-2, adopted on January 29, 2026, and released on January 30, 2026. The complete text of this document is available for download at *https://docs.fcc.gov/public/attachments/FCC-26-2A1.pdf*. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to *fcc504@fcc.gov* or calling the Commission's Consumer and Government Affairs Bureau at (202) 418-0503.

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA),335 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." 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, *https://www.fcc.gov/document/protecting-us-networks-foreign-adversary-control*.

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.

In this present document, we describe several steps we have taken to minimize the information collection burdens on small entities. 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.

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 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).

OPEN Government Data Act. The OPEN Government Data Act, 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. This requirement is to be implemented "in accordance with guidance by the Director" of OMB. 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 disclose under [the Freedom of Information Act (FOIA)]." A "data asset" is "a collection of data elements or data sets that may be grouped together," and "data" is "recorded information, regardless of form or the media on which the data is recorded."

Synopsis

Scope of the Information Collection

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," "foreign adversary," and "foreign adversary country" to govern the scope of individuals and entities which are subject to our Foreign Adversary Control rules. 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. 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.

Definitions

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* (90 FR 48648, Oct. 27, 2025). As explained in the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), the Commission adopted this definition consistent with the Department of Commerce's rule, 15 CFR 791.2, with certain narrow modifications. Specifically, pursuant to §1.70001(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.

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 § 63.24, note 1 to paragraph (d), of our rules. As we stated in the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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. The Commission will consider the totality of the circumstances reflected in the record.

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. 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, and that applying a dominant minority threshold of 10% promotes consistency with other Commission rules. 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 *Foreign Adversary Control Notice of Proposed Rulemaking* (*Document*) (90 FR 26244, June 20, 2025) 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. 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 *Document* (90 FR 26244, June 20, 2025), we find that cross-referencing § 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. 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. 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. Second, NAB argues that, for broadcast licensees, we should instead match the *lower* threshold of 5% voting interests to which broadcasters are already subject under the broadcast attribution rules, for the sake of reducing burdens. 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. We respond specifically to NAB's arguments about increased burdens below. 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." As the Commission noted in the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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. 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. Consistent with that view and in light of our decisions today, for purposes of § 1.70001(g)(4) of the Commission's rules, we treat a holder of 10% or greater of the total outstanding voting and/or equity interest in a Regulatee as "possess[ing] the power . . . to determine, direct, or decide important matters affecting an entity." Accordingly, to the extent that any individual or entity identified in §1.70001(g)(1)-(3) possesses such an interest in a Regulatee, the Regulatee is covered by §1.70001(g)(4) and shall attest affirmatively where applicable to the Regulatee under our reporting requirements, and include the requisite additional disclosures. To the extent such Regulatee believes that the 10% or greater voting and/or equity interest in the Regulatee does not allow the

interest holder to "determine, direct, or decide important matters affecting an entity," it must attest affirmatively and demonstrate by clear and convincing evidence why such interest does not meet §1.70001(g)(4). We delegate authority to the Licensing Bureaus and Offices, and the Enforcement Bureau, to review, conduct further inquiries, request additional information, and make determinations on such provisional attestations. We also delegate authority to OEA and PSHSB, in consultation with the Licensing Bureaus and Offices and the Enforcement Bureau as appropriate, to determine how to treat such attestations in the Foreign Adversary Control System after review is concluded and a determination is made.

Commenters largely support our adoption of this definition. 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." 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." 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." 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." While ITI agrees that "control may also be exercised through other vectors," it 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." 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." 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. 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. 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. 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. 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. 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." 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.

Despite TP-Link's claims to the contrary, nothing in this Order labels Regulatees or individual owners of Regulates as "foreign adversaries." Rather, "foreign adversaries" are the six specific governments or persons identified to date by the Secretary of Commerce. The requirements we adopt today apply when a Regulatee is "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary," as that term is defined elsewhere in Commission rules. That definition addresses not just "control" but also when a person or entity is subject to the "jurisdiction or direction of a foreign adversary." TP-Link fails to address the "jurisdiction or direction" element of the definition, including the extent to which citizens of a foreign adversary country fall under that provision because they must comply with that country's laws and regulations. Indeed, as the Commission recognized specifically with respect to China, "Chinese law requires citizens . . . to cooperate, assist, and support Chinese intelligence efforts *wherever they are in the world*." While the alternatives put forth by TP-Link would provide an exception for citizens of foreign adversary countries that hold U.S. visas, reside in the United States, or have applications for citizenship or petitions for permanent residency pending, none of these alternatives address the fact that such citizens of foreign adversary countries nonetheless remain subject to foreign laws. Accordingly, requiring attestation when a Regulatee is itself a citizen of a foreign adversary country or when such citizen possesses the power to determine, direct, or decide important matters affecting an entity is a factual statement regarding the association that such citizen, and hence the Regulatee, has with a foreign adversary. As such, the rules we adopt today do not compel speech in violation of the First Amendment. To the contrary, a requirement to report information to the government fundamentally differs from the typical compelled speech case, which generally involves situations where "the complaining speaker's own

message [is] affected by the speech it [is] forced to accommodate." Conversely, the rules here require reporting of factual information to the Commission—a Regulatee's association with a foreign adversary—to allow the Commission to analyze potential national security risks. Additionally, a Regulatee that attests as to Foreign Adversary Control is also required to "describe the nature of the foreign adversary ownership, control, jurisdiction, or direction to which the Regulatee is subject." Therefore, any Regulatee would be able to explain why such Regulatee meets our definition of "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary" but, in the Regulatee's view, should not be considered "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary." Despite TP-Link's claims to the contrary, the rules we adopt today impose only a reporting requirement. Unlike in the other decisions TP-Link notes, our Report and Order today does not adopt any adverse presumptions based on a Regulatee's association with a foreign adversary. There is no message being forced by the government. Even assuming that speech rights are implicated, our reporting requirements are consistent with the First Amendment, as they entail disclosure of "purely factual and uncontroversial" information in a commercial context and the disclosure is reasonably related to a substantial governmental interest (ensuring information needed to assess national security risks) which outweighs the "minimal" interest in not disclosing purely factual, uncontroversial information. In the alternative, even assuming our requirements are subject to heightened First Amendment review, our reporting requirements satisfy this higher standard because there is a substantial interest in knowing whether Regulatees are associated with foreign adversaries to assess national security risks and the requirement is not more extensive than is necessary because the information will be collected in a manner that balances national security concerns against the burden on regulated entities.

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." In the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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.'" We recognized "that industry has recommended and prefers clear lines and directions rather than ambiguous and potentially capacious terminology." 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." We reach the same conclusion here, that, "[w]hile we wish to sweep broadly enough to cover private entities subject to multi-faceted forms of foreign adversary control, we do not desire or intend a scope as broad as 'subject to the influence' by itself implies." 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." 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." The Commission will consider

the totality of the circumstances reflected in the record. 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.

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. 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." As noted above, TP link also urges the Commission to narrow this definition. 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. Indeed, in contrast to the submarine cable rules that rely on this definition, we are not today even imposing legal restrictions on entities with Foreign Adversary Control, merely attestation and disclosure requirements. 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 arrangements. Of course, any entity subject to this definition is free to petition the Commission to waive its rules as applied to such entity "for good cause."

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* (90 FR 48648, Oct. 27, 2025). 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." 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* (90 FR 48648, Oct. 27, 2025), 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." As in the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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. 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. 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.'" 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."

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 maintained by the Bureau of Industry and Security and the 1260H List maintained by the Department of Defense." As noted above, our adoption of the list of foreign adversaries designated by the Department of Commerce for its Information and Communications Technology and Services (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." 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." We decline to adopt the Entity List maintained by the Department of Commerce's Bureau of Industry and Security, 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." 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. Most of the entities on the Entity List are also covered under the rules we adopt today.

Establishing a Risk-Based Framework of Schedules to Classify Covered Authorizations

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 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. The complete listing of Covered Authorizations by Schedule can be found in Appendix A, § 1.80002(a) through (c). Under this approach, we clarify that, if a Regulatee with an attestation obligation is unsure how to respond, it must 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.

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. 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. 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.

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.

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. 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 outweighing the benefits. By exempting these Covered Authorizations, we prioritize efficiency and reduce duplicative reporting requirements. We also note that, 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.

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. 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), and the Commission's rules. 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; (iv) the possibility and probability of Foreign Adversary Control; and (v) the existence of risk-mitigating Commission regulations;

(2) Administrability. This includes assessing (i) whether the modification would simplify or complicate existing compliance processes for both the Commission and Regulatees, and (ii) the feasibility of agency review and enforcement;

(3) Burden on Regulatee. This includes evaluating (i) whether the attestation and disclosure requirements substantially duplicate existing reporting requirements; (ii) whether the burden would fall disproportionately on smaller entities; and (iii) whether the license, lease, authorization, permit, grant, or other Commission-granted 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.

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. 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 circumvent reporting requirements. Others believe that existing Commission disclosure processes are sufficient. Several commenters support a balanced approach that secures necessary information without imposing unnecessary burdens on entities that do not pose Foreign Adversary Control risks. 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. 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. 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.

Types of Licenses Required to Report

Wireless Services

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, but adopt a tailored approach to the application of the rules by individually categorizing each license type within the three Schedules discussed above.

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. 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.

Site-based wireless licenses and geographic-area licenses not covered by Schedule A or 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. 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. As NWCC argues, "requiring certifications from private and non-common carrier licensees authorized under 47 CFR parts 22, 80, 87, 90, 95 and 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."

Mandatory antenna structure registrations. Consistent with our authority under Sections 301 and 303 of the Act, 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.

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).

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." 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." 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 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.

Section 310(b) Declaratory Rulings

We adopt our proposal to include both pending and granted Section 310(b) petitions for declaratory ruling within the scope of the attestation and disclosure rules, and place them

in Schedule A. 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. 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. 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. 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. No comment in the record addresses how best to receive certification and reporting from entities holding Section 310(b) declaratory rulings. 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). 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. While the rules set forth ownership disclosure requirements, 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." 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 whether or not a petitioner is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. Foreign Adversary Control of a Regulatee may raise similar national security risks to 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.

Satellite

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. As discussed in the *Document* (90 FR 26244, June 20, 2025), 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. ITI suggests the Commission should avoid creating overlapping requirements with existing frameworks. 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. 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 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. 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. The Commission's *Space Modernization for the 21st Century Notice of Proposed Rulemaking* (*Space Modernization Notice*) (90 FR 56338, Dec. 5, 2025) 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. 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* (90 FR 56338, Dec. 5, 2025) and any changes to the part 25 rules or proposed part 100 rules specific to foreign ownership reporting will be addressed in that proceeding.

Media

Broadcast licenses and Cable Television Relay Service. We adopt our proposal to include broadcast licenses within the scope of the attestation and disclosure rules, and place them in either Schedule A or Schedule B, depending on certain qualifications. Broadcast licenses include AM, FM, Low Power FM, FM Translator, FM Booster, TV, Class A TV, Low Power TV, and TV Translator station licenses. As explained with respect to Section 310(b) petitions for declaratory rulings, 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. We also 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. 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. 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. Consistent with the *Document* (90 FR 26244, June 20, 2025), 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. 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." 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. 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. 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. The Commission also collects foreign ownership information from broadcasters that are

publicly traded companies and that have a sudden change in ownership. 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.

Foreign adversary sponsorship. As we note in multiple contexts and in the *Document* (90 FR 26244, June 20, 2025), 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. 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). The Commission found these requirements were necessary because instances of foreign government involvement in the broadcast of programming had gone undisclosed. 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.

NAB raises concerns about the burden on broadcasters that the Commission's attestation and disclosure requirements will impose. 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. NAB also 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." NAB adds that, "[g]iven the existing burdens facing broadcasters and the fact that they already are required to conduct diligence and submit ownership-related information to the Commission, imposing a foreign adversary control certification would be an unjustified burden on broadcast licensees." 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. 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. 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.

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. 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. 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 and file a foreign adversary lessee's disclosure in the Foreign Adversary Control System. Our rule does not require any new on-air disclosure. 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. Further, in determining 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. 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."

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. 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 *Document* (90 FR 26244, June 20, 2025), 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.

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. We assign to Schedule A Section 325(c) authorizations held by a Regulatee (or its affiliate) with six or more employees, and assign to Schedule B all other Section 325(c) authorizations. Any Section 325(c) authorization holder 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 authorization holder. If the Section 325(c) authorization holder 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 authorization holder itself does not meet the criteria for a "yes" attestation, then the authorization holder will fulfill its duties under Schedule A by filing a copy of the lessee's information with the Commission; the authorization holder will not be required to attest "no." Consistent with the *Document* (90 FR 26244, June 20, 2025), 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.

Submarine Cables

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. 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. Submarine cables serve as the foundation for the global Internet infrastructure and carry over 99% of transoceanic digital communications. 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. In the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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. 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. Specifically, 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 §1.70001(g) of the newly adopted rules. Such licensees will be required to file an annual report containing (1) information as required in § 1.70005(a) through (g), (i), and (m) of the newly adopted rules, and (2) certifications as set forth under § 1.70006 of the newly adopted rules. 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. 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, we did not adopt a requirement that any licensee that is subject to the Foreign Adversary Annual Report requirement provide up-to-date ownership information, or disclose their 5% or greater interest holders annually. 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. In the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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). 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. 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. 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 § 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. Additionally, our rules do not require all other licensees to attest whether or not they are subject to Foreign Adversary Control. 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.

Our action today, combined with the rules adopted in the *Submarine Cable Report and Order* (90 FR 48648, Oct. 27, 2025), 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. 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, 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. We do not modify in this proceeding the information content requirements for the Foreign Adversary Annual Report that are set forth in § 1.70017 of our newly adopted rules. 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.

Telephone and Common Carrier

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, 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 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 . . . ." The Commission has emphasized that it takes seriously this mandate to ensure that the operation of telecommunications carrier lines furthers the public convenience and necessity both presently and in the future. 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. 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.

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. To this end, we adopt the proposal in the *Notice* (90

FR 26244, June 20, 2025) to identify carriers operating pursuant to blanket domestic Section 214 authority through the existing registration requirement for interstate telecommunications carriers that is associated with the FCC Form 499-A and § 64.1195 of the Commission's rules. 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. We require domestic interstate carriers subject to § 64.1195 to comply with the foreign adversary attestation and disclosure requirements. We do not require them to otherwise register or provide additional identifying information other than what they already provide through the FCC Form 499-A process prior to complying with the new requirements. 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. 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.

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 *Document* (90 FR 26244, June 20, 2025) that while Section 214(e) grants primary jurisdiction for ETC designations and relinquishments to the states, 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. ETCs receiving Lifeline support and/or high cost support are generally required to offer voice telephony services, 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.

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. No comment in the record addresses how best to receive attestation and disclosure from international Section 214 authorization holders. Given that international Section 214 authorizations are critical to national security, we need maximum transparency about any Foreign Adversary Control over such authorization holders. 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. 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." In April 2023, the Commission adopted the *Evolving Risks Order* that required all 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. Our action today takes further steps to improve the

Commission's insight into threats by foreign adversary-controlled entities to critical communications infrastructure.

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, those requirements do not capture whether an applicant is "controlled by, or subject to the jurisdiction or direction of a foreign adversary." Specifically, 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 §63.18 of the Commission's rules. 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)." Applicants seeking an assignment or transfer of control of an international Section 214 authorization are also subject to the ownership disclosure requirement in §63.18(h) pursuant to § 63.24 of the Commission's rules. 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. 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 § 63.18(h), 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" or 5% ownership of those subject to Foreign Adversary Control. 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. 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 §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. Additionally, the ownership information provided to the Commission is dated as of December 2023 and may not reflect current information. 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. 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.

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. 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. 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. 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. 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. 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. The Commission has proposed applying these same requirements to all existing VoIP direct access authorizations 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* (88 FR 74098, Oct. 30, 2023). While interconnected VoIP providers with direct access to numbers comply with specific rules that allow the Commission to protect the public interest, 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. The Commission has not addressed the regulatory classification of interconnected VoIP service or interconnected VoIP service providers. 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. 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.

Other

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. 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. 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. Thus, any applicant to participate in an auction that is 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. 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.

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. 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. 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. By placing auction applications on Schedule C we minimize duplicative regulation and prioritize efficiency.

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.

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." At this time, we decline to place equipment authorizations under the SDoC process that are designated as high-risk within Schedule A. For devices subject to SDoC, the responsible party must keep on file information that includes a compliance statement that lists a U.S.-based responsible party. The responsible party is the party responsible for the compliance of the equipment with the applicable standards. 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. 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. 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. The Commission can specifically request that a responsible party provide compliance documentation or device samples as necessary. 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. 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. 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.

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. No comments in the record address how best to receive certification and reporting from DNIC holders. DNICs raise important national security considerations. The Commission assigns DNICs under International Telecommunication Union ITU-T Recommendation X.121. The DNIC is the central 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. DNICs are unique numerical codes designed to provide discrete identification of individual public data networks. 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. 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. While operators of public data networks must provide to the Commission this information, 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.

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. 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. ISPCs raise important national security considerations, as they are used at the international level for signaling message routing and identification of signaling points involved. 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." Such signaling points are within an SS7 switch. For this reason, only carriers that operate their own switch would need a signaling point code. ISPCs are used, for example, by international SS7 gateways as addresses for routing domestic voice traffic to an international provider. In recent years, the Commission found that significant national security risks were associated with a carrier's use of an ISPC. 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. While applicants must provide this information, 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.

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. No comments in the record address how best to receive certification and reporting from recognized operating agencies. 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. We therefore need maximum transparency about any 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. Pursuant to §§ 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. Recognized operating agencies may participate in the ITU. Section 63.701 of the Commission's rules sets out certain ownership disclosure requirements for such applications. 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." Those requirements do not capture whether an applicant is "controlled by, or subject to the jurisdiction or direction of a foreign adversary." 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.

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. 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." 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. In addition, proposed changes in ownership require a new application for certification, unless the new owner is already certified to provide Internet-based TRS. 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 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.

Attestation and Disclosure Requirements

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. 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. 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 as defined above (i.e., Foreign Adversary Control). 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. 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. Finally, we require all Regulatees filing Foreign Adversary Control attestations to attest to the truth and accuracy of the attestation.

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 *Document* (90 FR 26244, June 20, 2025), 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.

We received support in the record for adopting the attestation requirement broadly across various Commission-issued license and authorization types. 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." By broadening the scope of our Foreign Adversary Control 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."

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, 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" to avoid imposing an "undue burden, especially on entities with no nexus to national security concerns." 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, and impose less burdensome requirements on Regulatees holding licenses and authorizations where such risk is lower. 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." We have also considered the balance of risks and burdens in structuring the reporting categories.

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.

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. We also exempt state and local governmental licensees from our attestation and disclosure requirements, given that, by definition, these entities cannot be foreign adversaries or subject to Foreign Adversary Control. 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. 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 National Defense Authorization Act, 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.

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. 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. 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 §§ 1.767, 63.18, 63.24, and 1.5000 through 1.5004 of the rules. The Executive Branch agencies are either Members of or Advisors to the Committee created pursuant to Executive Order 13913. The Department of Justice (DOJ), Department of Homeland Security (DHS), and the Department of Defense (DOD) also are known informally as "Team Telecom." 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. While recent mitigation agreements may require reporting of certain ownership information to relevant national security agencies, for example, such reporting obligations 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.

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, and include an ownership diagram that illustrates the Regulatee's vertical ownership structure, 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;

(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.

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 § 63.18(h) of the Commission's rules. 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. 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. 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. We also require that the Regulatee include an ownership diagram consistent with the requirements set out in § 63.18(h) of the Commission's rules. Specifically, the ownership diagram shall illustrate 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. Every such individual or entity with equity and/or voting interests shall be depicted and all controlling interests must be identified. 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. 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 § 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. 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." We find that application of this preexisting standard for publicly traded companies will result in regulatory consistency and reduced burdens for such entities.

We affirm our tentative conclusion in the *Document* (90 FR 26244, June 20, 2025) 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. We also affirm our tentative conclusion in the *Document* (90 FR 26244, June 20, 2025) 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. We received support both for adopting these additional reporting requirements, and for adopting a 5% disclosure threshold. We find that this disclosure threshold is consistent with similar Commission regulations, 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."

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 governments." Whirlpool submits similar suggestions. 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.

We also decline the similar suggestions raised by SentinelOne and Michael Ravnitsky to establish a "verification framework" of submitted attestations, or conduct "mandatory screening of all FCC licensees and regulated entities, irrespective of their self-reported foreign ties." 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. In multiple contexts, instead of independently validating filings as they are submitted, 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. 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. 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. As noted below, 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. 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.

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;
    (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 Regulatee 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 Schedule A or B Regulatee 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 an assignment, except a *pro forma* assignment, of any Covered Authorization held by the Regulatee;
    (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 the entity's initial Covered Authorization designated in Schedule A; or

(b) upon application for the entity to be the transferee or assignee of its initial Covered Authorization designated in Schedule A, except in the case of a *pro forma* transfer of control or assignment;

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

(a) upon application for the entity's initial Covered Authorization designated in Schedule B;

(b) upon application for the entity to be the transferee or assignee of its initial Covered Authorization designated in Schedule B, except in the case of a *pro forma* transfer of control or assignment; 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 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. 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.

Implementation Considerations

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.

Rule Updates

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*. Part 1 of the Commission's rules contains other rules related to foreign ownership, such as Subpart DD, Secure and Trusted Communications Networks. We did not receive any comment in response to proposals in the *Document* (90 FR 26244, June 20, 2025) on this issue. 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. 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.

Method of Collection

We adopt our proposal to establish a single, consolidated reporting system, which we designate as the Foreign Adversary Control System (FACS). 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 *Document* (90 FR 26244, June 20, 2025) 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." We agree with USTelecom on the importance of streamlining the process to the extent possible, and find that centralizing attestations and disclosures into a single system will minimize duplicative and burdensome requirements to file information regarding Foreign Adversary Control across multiple systems and platforms. In addition, this approach will enhance the accuracy and reliability of the data by minimizing the potential for filing inconsistencies across disparate systems. 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. 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.

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*. 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. 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. 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. 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. 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.

All Regulatees with Covered Authorizations subject to the attestation and disclosure requirements must submit the required information via the FACS. Use of the FACS satisfies only the requirements of Subpart GG. 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 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.

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. Although NAB expressed specific concern for broadcast licensees, 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.

Deadline

General rule. We establish a filing deadline of 60 days after the public notice announcing the launch of the FACS. 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.

In the *Document* (90 FR 26244, June 20, 2025), 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." Commenters express concerns that a 60-day reporting window and 30-day lookback period "do not provide sufficient time" for Regulatees to comply. We reject Michael Schafer's contention that, because the Commission "knows the location of the Foreign Adversary (FA) labs and [telecommunications certification bodies (TCBs)]," we need not give Regulatees any time to file attestations. 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. Both CCIA and ITI recommend extending the reporting window to 120 days, "allowing certifications based on ownership information as of 30 days before filing . . . ." We understand CCIA and ITI's concerns, and so rather than adopt a 60-day deadline with a 30-day lookback period (which effectively gives Regulatees 30 days to file), we require Regulatees to attest to Foreign Adversary Control

as of the start of the 60-day period. For example, under the approach proposed in the *Document* (90 FR 26244, June 20, 2025), 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. 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.

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. 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 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, 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, 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. 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. 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.

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." 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.

Administration. We delegate to OEA and PSHSB, in consultation with the relevant Licensing Bureaus and Offices, authority to extend these deadlines as appropriate. This delegation includes authority to use notice-and-comment procedures if OEA and PSHSB deem it necessary or advisable to do so. 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.

Enforcement and Revocation

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. The Commission may consider other factors that the Regulatee presents when determining an appropriate enforcement action.

Late and Nonresponsive Filers. Regulatees must submit their attestation and disclosure requirements by the initial filing deadline adopted in this *Report and Order*. 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. 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. 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[.]" The maximum amount varies by type of entity. The penalty for failing to file or filing late or inaccurate imposed may be up to the maximum permitted by the Commission's rules.

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.

Revocation. To the extent consistent with applicable law, we adopt a streamlined revocation or reclamation procedure for Regulatees that is similar to the revocation procedure for TCBs and test labs. 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 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.

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); (2) Order to Show Cause; and (3) Order on Revocation. This process will provide Regulatees with ample notice and opportunity to be heard before any enforcement action is adopted. 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.

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. 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."

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.

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. The response period of less than 30 days reflects the heightened national security risks associated with undisclosed foreign adversary ownership. We delegate authority to the Bureaus and Offices to afford additional process as they deem necessary or appropriate. For revocation of broadcast and wireless licenses,

steps two and three are governed by Section 312 of the Communications Act and §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 §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. Pursuant to § 2.939(b) of the Commission's rules, except for the limited circumstances set forth in § 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 § 2.939(d) of the Commission's rules, applies 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 § 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.

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).

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." 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." We find that the process we adopt will ensure the development of an adequate administrative record and appropriate procedural safeguards to ensure due process.

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. 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.

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. We agree that the Communications Act prescribes specific procedures for certain Commission-granted licenses, such as broadcast licenses, as described above. 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. 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. 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* (90 FR 48648, Oct. 27, 2025), 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. 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. 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. 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.

Publication of Data and Privacy Considerations

We adopt our proposal in the *Document* (90 FR 26244, June 20, 2025) to make the attestations and additional disclosures available to the public. 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, the authority to adopt necessary policies and procedures, and conduct notice-and-comment rulemaking where necessary, to enable the publication of both the information collected by these rules and also of Foreign Adversary Control information more broadly, and to publish the information. 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.

Cost–Benefit Considerations

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." In the *Document* (90 FR 26244, June 20, 2025), 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, the digital economy accounted for approximately 16% of the U.S. economy, and the volume of international trade for the United States (exports and imports) was $5.4 trillion in 2024. 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%. 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 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.

Costs. In the *Document* (90 FR 26244, June 20, 2025), 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. 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. 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. 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. 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. 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. 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. 16% of 2024 US GDP of $29.18 trillion = $4.67 trillion. 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. 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. 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.

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 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.

Severability

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.

Final Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), 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*, released in May 2025. The Commission sought written public comment on the proposals in the *Document* (90 FR 26244, June 20, 2025), including comment on the IFRA. 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.

Need for, and Objectives of, the Rules

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.

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

Comments regarding the impact of the rule on small entities were filed by Michael Ravnitzky. 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. 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.

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

Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, 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. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

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

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. The RFA

generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act. 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." 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. 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.

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. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, "small organizations" are not-for-profit enterprises that are independently owned and operated and are not dominant in their field. 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 employees. Finally, "small governmental jurisdictions" are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. 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.

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) codes and corresponding SBA size standard. 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. The size standards in this chart are set forth in 13 CFR 121.201, by six digit NAICS code. 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

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	**NAICS Code**	**SBA Size Standard**	**Total Firms**	**Total Small Firms**	**% Small Firms**
All Other Telecommunications	517810	$40 million	1,673	1,007	60.19%
Radio Broadcasting Stations	516110	$47 million	2,616	2,136	81.65%
Wired Telecommunications Carriers	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%
Wireless Telecommunications Carriers (except Satellite)	517112	1,500 employees	1,184	1,081	91.30%

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS Code	SBA Size Standard	Total Firms	Total Small Firms	% Small Firms
Satellite Telecommunications	517410	$44 million	332	195	58.73%
Business Associations	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	334220	1,250 employees	155	136	87.74%
Telecommunications Resellers	517121	1,500 employees	955	847	88.69%
Television Broadcasting Stations	516120	$47 million	413	316	76.51%
Aircraft Manufacturing	336411	1,500 employees	234	209	89.32%
Uncrewed Aircraft System (UAS) Operators	None	100 employees or less	Data Not Disclosed	Data Not Disclosed	92.20%

Table 2. Telecommunications Service Provider Data

2024 Universal Service Monitoring Report Telecommunications Service Provider Data (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	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite)	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**	**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) Small Cable Operator	Serves fewer than 498,000 subscribers, either directly or through affiliates	530	524	98.87%
Cable Companies and Systems (Rate Regulation) Small Cable Company	Serves 400,000 or fewer subscribers nationwide	530	523	98.51%
Cable Companies and Systems (Rate Regulation) Small Cable System (headends)	Serves 15,000 or fewer subscribers	4,545	3,965	87.24%

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

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.

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. 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.

In the *Report and Order*, the Commission affirms its estimates that a one-time foreign adversary reporting cost would be $116 per Regulatee. 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. 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. 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. 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. 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.

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

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."

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. For other entities, such as broadcasters with 5 for 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 Schedules on an ongoing basis.

Further, the Commission adopts an extended filing deadline for initial attestations and disclosures for small entities, recognizing that small entities may have fewer resources.

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. 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.

Report to Congress

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. 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.

Ordering Clauses

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.

IT IS FURTHER ORDERED that this *Report and Order* SHALL BE EFFECTIVE 60 days after publication in the Federal Register. Compliance with §§ 1.80003 and 73.1212(j)(8) of the Commission's rules, 47 CFR 1.80003, 73.1212(j)(8), 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 §§ 1.80003 and 73.1212(j)(8) by subsequent Public Notice in the Federal Register, and to cause §§ 1.80003 and 73.1212(j)(8) to be revised accordingly.

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).

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.

List of Subjects

47 CFR Part 1

Administrative practice and procedure, Communications, Communications common carriers, Communications equipment, Cuba, Individuals with disabilities, Internet, Organization and function (Government agencies), Penalties, Radio, Reporting and recordkeeping requirements, Satellites, Security measures, Telecommunications, Telephone, Television.

47 CFR Part 73

Television.

FEDERAL COMMUNICATIONS COMMISSION.

Marlene H. Dortch,
Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1 and 73 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 Covered Authorizations subject to Foreign Adversary Control rules.

1.80003 Foreign adversary control attestation and disclosures.

1.80004 Enforcement and streamlined revocation procedure.

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

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.

§ 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). For the purposes of § 1.70001(g)(4), the Commission shall generally deem a holder of 10% or greater of the total outstanding voting and/or equity interest in a Regulatee as possessing the power to determine, direct, or decide important matters affecting an entity, and delegates authority to the Licensing Bureaus and Offices, and the Enforcement Bureau, the authority to make exceptions to this general determination on a case-by-case basis. 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: • AWS-4 (2000-2020 MHz and 2180-2200 MHz) • AWS-H Block (at 1915-1920 MHz and 1995-2000 MHz) • AWS-3 (1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz) • AWS (1710-1755 MHz and 2110-2155 MHz) • 1670-1675 MHz Band, Market Area • Broadband Radio Service • 900 MHz Broadband Service • Commercial Aviation Air-Ground Radiotelephone (800 MHz band) • Cellular • PCS Broadband • 1910-1915/1990-1995 MHz Bands, Market Area • Educational Broadband Service • 3.45 GHz Service • 3.5 GHz Band Priority Access License • 3.7 GHz Service • Upper Microwave Flexible Use Service • Wireless Communications Service • 600 MHz Band • 700 MHz Upper Band (Block C) • 700 MHz Lower Band (Blocks A, B & E) • 700 MHz Lower Band (Blocks C, D)	
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	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
47 CFR parts 73, 74, 76, and 78	• Broadcast licenses (AM, FM, LPFM, FM translator, FM Booster, Full Power TV, Class A TV, LPTV, TV translator) • Cable television relay service station (CARS) licenses	The holder of which has 6 or more full-time employees or, in the case of a holder of a broadcast license, receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary.
47 CFR part 73	International broadcast station licenses	The holder of which has 6 or more full-time employees or receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary.
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 or receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary.
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	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
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: • Aviation Auxiliary Group • Aural Microwave Booster • Aeronautical and Fixed • Aural Intercity Relay • Aviation Radionavigation • Aural Studio Transmitter Link • 3.5 GHz General Authorized Access (licensed by rule) • 1390-1392 MHz Band, Market Area • 1392-1395 and 1432-1435 MHz Bands, Market Area • BETRS • Paging and Radiotelephone • Digital Electronic Message Service - Common Carrier • Common Carrier Fixed Point to Point Microwave • General Aviation Air-ground Radiotelephone • PCS Narrowband • Offshore Radiotelephone	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	• Part 22 VHF/UHF Paging (excluding 931MHz) • Rural Radiotelephone • Local Television Transmission • Part 22 931 MHZ Paging • Multichannel Video Distribution and Data Service • Business, 806-821/851-866 MHz, Conventional • 929-931 MHz Band, Auctioned • Other Indust/Land Transp, 896-901/935-940 MHz, Conv. • Business/Industrial/Land Trans, 809-824/854-869 MHz, Conv. • 800 MHz Conventional SMR (SMR, Site-specific) • Other Indust/Land Transp, 806-821/851-866 MHz, Conv. • SMR, 896-901/935-940 MHz, Conventional • Private Carrier Paging, 929-930 MHz • Business, 896-901/935-940 MHz, Conventional • SMR, 806-821/851-866 MHz, Conventional • Industrial/Business Pool, Conventional • Industrial/Business Pool - Commercial, Conventional • Intelligent Transportation Service (Public Safety) • Local Multipoint Distribution Service • 902-928 MHz Location Narrowband (Non-multilateration) • Broadcast Auxiliary Low Power • Location and Monitoring Service, Multilateration (LMS) • Low Power Wireless Assist Video Devices • 902-928 MHz Location Wideband (Grandfathered AVM) • Marine Auxiliary Group • Coastal Group • Microwave Industrial/Business Pool • Alaska Group • Millimeter Wave 70/80/90 GHz Service • Marine Radiolocation Land • Multiple Address Service, Auctioned	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	• Microwave Public Safety Pool • Nationwide Commercial 5 Channel, 220 MHz • 3650-3700 MHz • Public Coast Stations, Auctioned • Digital Electronic Message Service - Private • 220-222 MHz Band, Auctioned • Non-Nationwide Data, 220 MHz • Non-Nationwide Public Safety/Mutual Aid, 220 MHz • Non-Nationwide Other, 220 MHz • Intelligent Transportation Service (Non-Public Safety) • Non-Nationwide 5 Channel Trunked, 220 MHz • Broadcast Auxiliary Remote Pickup • Land Mobile Radiolocation • TV Microwave Booster • MSS Ancillary Terrestrial Component (ATC) Leasing • TV Intercity Relay • TV Pickup • TV Studio Transmitter Link • TV Translator Relay • Microwave Aviation • Microwave Marine • Microwave Radiolocation • 700 MHz Guard Band • Business, 806-821/851-866 MHz, Trunked • SMR, 806-821/851-866 MHz, Auctioned • SMR, 896-901/935-940 MHz, Auctioned • Industrial/Business Pool, Trunked • SMR, 806-821/851-866 MHz, Auctioned (Rebanded YC license) • Other Indust/Land Transp. 896-901/935-940 MHz, Trunked • Business/Industrial/Land Trans, 809-824/854-869 MHz, Trunked • Industrial/Business Pool - Commercial, Trunked • 800 MHz Trunked SMR (SMR, Site-specific) • Other Indust/Land Transp. 806-821/851-866 MHz, Trunked	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	• SMR, 896-901/935-940 MHz, Trunked • Business, 896-901/935-940 MHz, Trunked • SMR, 806-821/851-866 MHz, Trunked • 218-219 MHz Service	
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	• Broadcast licenses (AM/FM/LPFM/FM Translator/FM Booster/Full Power TV/Class A TV/LPTV/TV translator) • Cable television relay service station (CARS) licenses	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	Wireless licenses in the following services: • Aircraft • Commercial Operator • Amateur • Vanity • Restricted Operator • Ship Recreational or Voluntarily Equipped • Ship Compulsory Equipped • General Mobile Radio (GMRS) • PubSafty/SpecEmer/PubSaftyNtlPlan,806-817/851-862MHz,Conv • Public Safety Ntl Plan, 821-824/866-869 MHz, Conv. • Public Safety/Spec Emerg, 806-821/851-866 MHz, Conv. • Public Safety 4940-4990 MHz Band • 4940-4990 MHz Public Safety, Base/Mobile	

Legal Authority Citation	Covered Authorization Type	Qualification(s)
	• 4940-4990 MHz Public Safety, Pt-to-Pt, Pt-to-Multi-Pt • Public Safety Pool, Conventional • Conventional Public Safety 700 MHz • Public Safety 700 MHZ Band-State License • 700 MHz Public Safety Broadband Nationwide License • Trunked Public Safety 700 MHz • PubSafty/SpecEmer/PubSaftyNtlPlan,806-817/851-862MHz,Trunked • Public Safety Ntl Plan, 821-824/866-869 MHz, Trunked • Public Safety/Spec Emerg, 806-821/851-866 MHz, Trunked • Public Safety Pool, Trunked	
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 to 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 and supply chain dependencies;

(C) Nature and type of underlying infrastructure;

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

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

(ii) Administrability, taking into account:

(A) Whether the modification(s) would simplify or complicate existing compliance processes for both the Commission and Regulatees; and

(B) Feasibility of agency review and enforcement;

(iii) Burden on Regulatee, taking into account:

(A) Existence of substantially duplicative reporting requirements;

(B) Whether the burden would fall disproportionately on smaller entities; and

(C) Whether the license, lease, authorization, permit, grant, or other Commission-granted approval is similarly situated to another Covered Authorization and thus should be treated similarly; and

(iv) Other criteria deemed relevant by the Licensing Bureau or Office, such as whether the attestation requirement for the Covered Authorization remains necessary in light of technological or industry developments.

(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 paragraphs (f) and (g) of this section, an officer or other authorized representative of a Schedule A Regulatee 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). An attestation that an entity is not owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary as defined in § 1.80001(e) 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.

(b) *Schedule B attestations.* Except as provided in paragraph (f) of this section, an officer or other authorized representative of a Schedule B Regulatee, 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 a Schedule C Regulatee 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 a Regulatee 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 a Regulatee holds or applies for a Covered Authorization from Schedule A and another from Schedule B, the Regulatee shall only file a single attestation, according to the rules for Schedule A attestations.

(e) *Provisional attestations.* An officer or other authorized representative of a Regulatee that attests affirmatively pursuant to paragraph (a) or (b) of this section, but denies that an interest obligating the Regulatee to attest affirmatively confers upon the interest holder the ability to determine, direct, or decide important matters affecting an entity, shall

demonstrate by clear and convincing evidence why such interest does not meet § 1.70001(g)(4).

(f) *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.

(g) *Foreign adversary sponsorship*. An entity with a broadcast license (AM, FM, LPFM, FM translator, FM Booster, Full Power TV, Class A TV, LPTV, TV translator), a cable television relay service station (CARS) license, an international broadcast station license, or section 325(c) authorization encompassed by table 2 to § 1.80002(b) that does not otherwise hold a Covered Authorization from Schedule A but receives an affirmative response under the Commission's foreign sponsorship identification rules from a lessee that is a foreign adversary shall fulfill its duties under paragraph (a) of this section by filing a copy of the lessee's information with the Commission pursuant to § 73.1212(j)(8) of this chapter.

(h) *Deadline for initial attestations.* Except as provided in paragraph (i) of this section, a Regulatee 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.

(i) *Deadline for initial attestations made by small entities.* A Regulatee that is 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.

(j) *Additional disclosures for entities subject to Foreign Adversary Control.* Except as provided in paragraph (f) of this section, a Schedule A, B, or C Regulatee 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 paragraph (h), (i), or (l) 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; and

(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); and

(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 (j)(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 (l)(3)(ii), (l)(4)(ii), and (l)(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) A Regulatee filing a disclosure pursuant to this paragraph (j) shall include a statement certifying to the truth and accuracy of all information included in the disclosure.

(k) *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 (j) of this section, shall follow the same standards set forth in § 1.5000(e), to the extent applicable, in its reporting under paragraph (j) of this section.

(l) *Ongoing attestation and disclosure requirements.* After the deadline for initial attestations set forth in paragraphs (h) and (i) 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 (j) 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 Regulatee 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 Schedule A or B Regulatee 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 an assignment, except a *pro forma* assignment as defined in § 63.24(d) of this chapter, of any Covered Authorization held by the Regulatee;

(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 the entity's initial Covered Authorization designated in Schedule A; or

(ii) Upon application for the entity to be the transferee or assignee of its initial 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) of this chapter;

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

(i) Upon application for the entity's initial Covered Authorization designated in Schedule B;

(ii) Upon application for the entity to be the transferee or assignee of its initial 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) of this chapter; 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.

(m) *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.

(n) *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 and the Enforcement Bureau where appropriate, to adopt necessary policies and procedures, and conduct notice-and-comment rulemaking, where appropriate, relating both to the administration of the information collection described in this Section and Foreign Adversary Control information more broadly, including rule clarifications and further guidance, modification of deadlines, publication of information, and treatment of provisional attestations.

(o) *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 (o) 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.

PART 73—RADIO BROADCAST SERVICES

3. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

Subpart H—Rules Applicable to All Broadcast Stations

4. Amend § 73.1212 by:

a. Redesignating paragraph (j)(8) as paragraph (j)(9); and

b. Adding new paragraph (j)(8).

The addition reads as follows:

§ 73.1212 Sponsorship identification; list retention; related requirements.

* * * * *

(j) * * *

(8) A licensee of a broadcast station receiving a response from a lessee under paragraph (j)(3)(ii) of this section that identifies the lessee as a foreign adversary or foreign adversary country as defined in § 1.70001 of this chapter shall file with the Commission a copy of the disclosure provided by the lessee according to the procedure established under § 1.80003(m) of this chapter within 60 days, or 120 days for stations with five or fewer employees, of the licensee's receipt of the disclosure provided by the lessee. Compliance with this paragraph (j)(8) 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 (j)(8) accordingly.

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[FR Doc. 2026-06992 Filed: 4/9/2026 8:45 am; Publication Date: 4/10/2026]