



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[ET Docket No. 24-136; FCC 26-28; FR ID 345586]

Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) adopts measures to strengthen national security and encourage reciprocity in testing and certification. The FCC creates a fast-track priority review process for devices subject to Pre-Approval Guidance (PAG) for applications tested in Trusted Test Labs. Also, updates post-market surveillance and enforcement procedures, and establishes confidential reporting channels for industry participants to raise concerns about violations or national security threats. Lastly, directs development of a consolidated list of prohibited entities to streamline applicant screening and aligns ownership reporting timelines for publicly traded companies with U.S. Securities and Exchange Commission requirements.

DATES: This final rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER], except the amendments to §§ 2.949(b)(5) and (6) and (d) (amendatory instruction 2), 2.951(a)(10) and (11) and (c) (amendatory instruction 4), and 2.962(d)(9) (amendatory instruction 6) which are delayed. The Federal Communications Commission will publish a document in the *Federal Register* announcing the effective date.

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SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Second Report and Order* and Order on Reconsideration, in ET Docket No. 24-136, FCC 26-28, adopted on April 30, 2026, and released on May 1, 2026. The full text of this document is available for public inspection and can be reviewed at <https://docs.fcc.gov/public/attachments/FCC-26-28A1.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 Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA) 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 the *Second Report and Order* on small entities. The FRFA is set forth in Appendix C, <https://www.fcc.gov/document/fcc-targets-device-test-labs-nations-without-reciprocal-agreements-0>.

Paperwork Reduction Act. This document contains new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13. The Commission, as part of its continuing effort to reduce paperwork burdens, will invite the general public and the Office of Management and Budget (OMB) to comment on any information collection requirements contained in this document. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4), the Commission seeks specific comment on how it might “further reduce the information collection burden for small business concerns with fewer than 25 employees.”

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 the *Second Report and Order* to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

SYNOPSIS

In this document, the Commission continues its efforts to strengthen the integrity and security of the Equipment Authorization Program. Building on the foundation established in the *First EA Integrity Report and Order*, 90 FR 38045 (August 7, 2025), this action addresses emerging national security risks and supply chain vulnerabilities by refining the Commission's rules governing Telecommunications Certification Bodies (TCBs), test laboratories, and laboratory accreditation bodies.

The Commission adopts measures to strengthen national security and incentivize domestic testing and certification, including the creation of a fast-track priority review process for applications tested in Trusted Test Labs, i.e. test labs in the United States or in the territories of economies with Mutual Recognition Agreements (MRAs) in which the FCC participates or trade agreements with conformity assessment reciprocity provisions to which the United States is a party (Reciprocal Economies) under the Pre-Approval Guidance (PAG) system. U.S. actors in the Commission's equipment authorization program, including U.S. test labs and TCBs, are subject to U.S. laws and can legally be compelled to respond to FCC inquiries in a timely manner. Actors based in Reciprocal Economies are similarly bound by the laws of the reciprocal international agreements. These steps aim to strengthen the integrity of the Commission's equipment authorization process by reducing reliance on foreign entities that pose unacceptable risks, promoting reciprocity, mitigating intellectual property theft, and ensuring sensitive technologies are evaluated in secure environments. The Commission also enhances transparency by requiring disclosure of the location and number of employees engaged in FCC-recognized testing and certification, including foreign-based staff, to assess trustworthiness, impartiality and compliance with Commission rules.

Further, this document directs revisions to post-market surveillance procedures, strengthens enforcement mechanisms, and establishes confidential reporting channels for industry participants to raise concerns about violations or national security threats. To streamline compliance, the Commission directs the creation of a consolidated human-readable and, to the extent feasible given limited resources, machine-readable list of prohibited entities to assist TCBs in screening applicants efficiently. Additionally, the Commission grants Garmin's Petition for Reconsideration to align ownership reporting requirements for publicly traded companies with Securities and Exchange Commission (SEC) timelines.

Through all these actions, the Commission seeks to promote a robust domestic testing ecosystem, safeguard U.S. communications networks, and uphold the integrity of the equipment authorization process.

SECOND EA INTEGRITY ORDER

In this *Second EA Integrity R&O*, the Commission focuses on strengthening the integrity of its equipment authorization program by addressing national security risks and revising the Commission's

equipment authorization rules to incentivize applicants to use domestic testing. Specifically, the Commission creates a fast-track priority review process for equipment that is subject to the PAG system and is tested in test labs in the U.S. or in the territory of an economy with which the U.S. has negotiated reciprocal treatment through an MRA or trade agreement with comparable provisions (Trusted Test Labs). This will incentivize testing in the U.S. or reciprocal countries, promote transparency and accountability in the process, and will encourage reciprocal treatment of U.S.-based testing in foreign countries. The Commission also amends its rules to require TCBs and test labs to disclose the location and number of foreign employees engaged in FCC-recognized testing/certification, to enhance transparency and assess impartiality as required by Commission rules.

The Commission directs OET to revise post-market surveillance procedures, including sampling rates, escalation methods, and transparency when noncompliance is found. The Commission will also take a more active role in oversight and enforcement, reinforcing penalties for false certifications and fraudulent test reports. The Commission establishes a secure portal for industry participants to report suspected violations or national security concerns and create a centralized, machine-readable list of prohibited entities to help TCBs screen applicants efficiently. Finally, the Commission grants a Petition for Reconsideration filed by Garmin that modifies the ownership reporting rules for publicly traded companies to align with SEC timelines.

The Commission clarifies that its current rules allow for many of these proposals, such as greater disclosure of the locations of foreign employees and testing locations of test labs and TCBs, a more active role by the Commission in post-market surveillance, stronger enforcement, and better data sharing practices.

A. Fast-track PAG reviews for applications using U.S. test labs

The Commission finds it in the public interest to offer a priority fast-track review of equipment authorization applications subject to the Pre-Approval Guidance (PAG) process under 47 CFR 2.964 that use Trusted Test Labs (i.e. labs in the U.S. or Reciprocal Economies) to test equipment. The Commission believes incentivizing a robust trusted test lab ecosystem will boost the integrity of the equipment authorization process overall by expanding testing in trusted environments, reducing the risk of intellectual property (IP) theft of innovative technologies, and improve the Commission's ability to securely adapt to emerging technologies.

The Commission also finds it in the public interest to streamline requirements for testing and certification by Trusted Test Labs. The Commission's recent actions to de-recognize test labs based on national security risk has reduced the supply of testing and has highlighted the risk in relying on foreign test labs. The Commission finds that incentivizing domestic testing is a proactive step that will shift the framework from reactive exclusion to prevention, ultimately serving to strengthen the Commission's equipment authorization program by promoting reliance on trustworthy labs that do not present national security concerns that will be easily subject to FCC enforcement actions. This expanded domestic testing capacity will strengthen the overall resilience of the equipment authorization program.

The Commission further finds it in the public interest to allow Trusted Test Labs to utilize the priority fast-track review process. The Commission finds that permitting Trusted Test Labs to participate in the fast-track review process upholds the United States' commitments in its MRAs and trade agreements and incentivizes additional economies to pursue similar agreements with the U.S. for reciprocal treatment. These reciprocal agreements ensure a maximum level of integrity.

The Commission agrees with the overwhelming support from commenters and finds it in the public interest to incentivize device-makers to use Trusted Test Labs, or test labs located in the U.S. or in the territory of an economy with which the U.S. has negotiated reciprocal treatment through an MRA or trade agreement. The Commission agrees with the record support that one effective means of doing this is by offering a priority fast-track process for applications subject to the PAG process, where equipment is tested by a qualifying entity. In 2024, 3.6% of devices receiving FCC IDs were tested by labs in the U.S., and 12.5% were tested by labs in MRA countries; collectively, over 16% were tested by Trusted Test Labs. The Commission believes that prioritizing the participation of Trusted Test Labs in the Commission's equipment authorization program will help promote the integrity of the Commission's equipment authorization procedures while simultaneously helping protect its nation's supply chain against unacceptable risks. As the National Security Division (NSD) of the Department of Justice (DOJ) has previously advised us in this proceeding, allowing foreign adversaries to infiltrate the equipment authorization program creates a risk that they could exploit it on a broad scale – potentially misappropriating sensitive intellectual property and business intelligence from U.S. companies to advance their own national interests.

The Commission agrees with the Cetecom comment supporting domestic testing to ensure sensitive technologies are evaluated in secure, controlled environments and to reduce the risk of IP theft and foreign surveillance. The Commission also agrees with the many comments supporting testing in allied and MRA countries. The Commission finds that these risks, particularly IP theft, are especially heightened for the types of technologies appearing in the PAG list. Test labs have privileged and early access to confidential information about new products given their role in the supply chain, and the risk of IP theft and foreign surveillance is especially pronounced for new technologies on the PAG list.

The Commission also notes the commitments made by the United States in its MRAs and Free Trade Agreements (FTAs). Certain MRAs to which the U.S. is a Party include a mutual commitment to accept test reports of recognized conformity assessment bodies of the other Party on terms no less favorable than those accorded to test reports produced by conformity assessment bodies of the importing Party. Similarly, many U.S. FTAs and Agreements on Reciprocal Trade (ARTs) include a mutual commitment to accord to conformity assessment bodies located in the territory of the other Party treatment no less favorable than the Party accords to conformity assessment bodies located in its own territory. The Commission finds that it is appropriate and in the public interest to allow test labs located in the territory of economies with which the U.S. has negotiated such reciprocal treatment through an MRA or trade agreement to participate in the fast-track PAG process.

While all FCC grants for certification of RF equipment are processed through TCBs, certain equipment authorization approvals related to new and evolving technologies require direct oversight by the Commission through the PAG process. For products that contain new and evolving technologies covered by the PAG process, it is particularly important that those responsible for testing them be subject to U.S. law so that they may be compelled to respond in a timely manner to FCC requests. The Commission has previously raised concerns that foreign actors in the Commission's equipment authorization program have been able to evade U.S. law when products they are responsible for have harmed American consumers. U.S. actors in the Commission's equipment authorization program, including U.S. test labs and TCBs, are subject to U.S. laws and can legally be compelled to respond to FCC inquiries in a timely manner. Actors based in Reciprocal Economies are similarly bound by the laws of the reciprocal international agreements. In contrast, foreign actors from non-Reciprocal Economies

have abused the protections of the Hague Service Convention to evade accountability for repeated violations in the Commission's equipment authorization program.

The PAG process and associated PAG list address the compliance requirements for these technologies and must be followed by all TCBs before finalizing the equipment authorization approval for any devices identified in the PAG List. Currently, the Commission's rules require TCBs to comply with the following for PAG list equipment: (1) perform an initial review of the application and determine the issues that require guidance from the Commission; (2) complete the review of the application in accordance with the Commission's guidance; (3) provide any test samples of the equipment requested by the Commission; (4) electronically submit the application and all exhibits to the Commission along with a request to grant the application; and (5) supply any additional information or equipment testing required by the Commission to comply with its rules.

The Commission revises § 2.964 of its rules to prioritize approval for PAG list equipment authorization applications, where the equipment is tested in the U.S. or in the territory of an economy with which the U.S. has negotiated reciprocal treatment through an MRA or trade agreement (Trusted Test Labs). First, the Commission directs OET to create a fast-track PAG list option for TCBs utilizing Trusted Test Labs in its PAG list approval process. The Commission also directs OET to update the PAG list to provide a separate streamlined list of categories for which pre-approval guidance is required for applications that use domestic testing provided by Trusted Test Labs. This streamlined list will aid in the removal of associated lag time with the PAG review and approval process. Finally, the Commission directs OET to publish, and update as necessary, a list of economies with which the United States has an MRA or comparable trade agreement. The Commission believes these actions will create the appropriate incentive to utilize Trusted Test Labs that creates a faster pipeline in getting newer equipment to the market. The Commission also believes Trusted Test Labs do not carry the same national security and trustworthiness risk that certain foreign test labs do, and the Commission therefore places enhanced trust in their ability to receive and handle sensitive and proprietary equipment authorization information as reflected in a shorter period for Commission staff to review their test results. to receive and handle sensitive and proprietary equipment authorization information as reflected in a shorter period for Commission staff to review their test results.

Creating a fast-track PAG option for TCBs using Trusted Test Labs will also assist with accelerating the expansion of testing capacity in the United States and Reciprocal Economies. This is all the more important, given that in the last several months, the Commission has ceased to recognize 21 labs. Even as the Commission protects the integrity of the equipment authorization process by not recognizing untrustworthy labs, the Commission believes it is in the public interest to facilitate more testing in the United States and Reciprocal Economies, which will increase trust in the process trust in the process. The Commission also agrees with the Heritage Foundation that supporting greater domestic testing capacity will boost the resilience of the equipment authorization program by ensuring the U.S. has reliable, secure testing capacity at home.

The Commission envisions that this fast-track option will create two distinct lines for the PAG approval process: one for Trusted Test Labs that will receive a shorter, faster queue and one for all other test labs. In addition, there will be two distinct PAG list tracks, the general PAG list and the Trusted Test Lab streamlined PAG list with fewer equipment categories. The Commission directs OET to release a public notice determining the specific equipment categories to be removed on the Trusted Test Lab PAG list that will enable this fast-track approval process.

Unsurprisingly, the current queue for such vigorous PAG list review and approval can take several months. In 2025, the OET Laboratory Division reviewed and processed 1,202 PAG list items. The Commission directs the OET Lab Division to make publicly available data metrics for the timelines associated with PAG list review and approval. The Commission believes this transparency will serve the public interest in several ways. First, the metrics for PAG processing will provide data to improve administrative processes, which allow interactions with the Commission to be more accessible and efficient. Second, these metrics will provide a measure of the time-savings the fast-track PAG processing option provides in the PAG approval process. The Commission anticipates that the time-savings will translate to faster marketing of new types of equipment and cost savings for bringing such innovations to market, benefiting the American public.

B. Greater disclosure of number and location of test lab and TCB employees.

The Commission also amends its rules to provide that test labs and TCBs must disclose the number and location of all employees that are engaged in FCC-recognized testing and/or certification at designation and renewal.

Background. The Commission’s rules require recognition of test labs based on the ISO 17025 standard, and recognition of TCBs based on the ISO 17065 standard. Both standards assess whether test labs and TCBs operate in a competent, consistent and impartial manner. In practice, our rules operate to require reviews of the underlying requirements of recognition at least every two years for test labs and TCBs. The Commission does not require either TCBs or test labs to disclose the location of their employees.

In the *First EA Integrity FNPRM* (90 FR 31945; July 16, 2025), the Commission sought comment on the potential for this current structure to raise questions as to the integrity of the Commission’s equipment authorization program or the impartiality of TCBs or test labs. The Commission sought comment on what additional information the Commission should require regarding the relationship between the individuals who each performed a defined role in the review and approval process, as well as any additional safeguards that the Commission should consider to further ensure the impartiality of the Commission’s TCBs and test labs. Further, the Commission sought comment on whether it should restrict the relationships between TCBs and test labs to prevent TCBs from reviewing authorization applications for which the equipment was tested by a test lab owned by, or under the direction or control of the same entities that own, direct, or control the TCB.

Discussion. The Commission adopts its proposal and clarifies that, in reviewing for adherence to the ISO/IEC 17065 and ISO/IEC 17025 impartiality frameworks, the Commission will consider where employees are based and where they carry out their testing and certification activities. The Commission will therefore require test labs and TCBS to report the number and location information of all employees engaged in FCC-recognized testing and/or certification, including those based outside the U.S. The Commission believes such information, to the extent relevant to the test lab or TCB’s participation in the Commission’s equipment authorization program, is required to determine compliance with the Commission’s rules. Test labs are already required to provide information about the location of their test sites. The rules also require test labs to provide “[o]ther information as requested by the Commission[.]” The Commission amends its rules to require submission of information on the location of employees. The rules already prohibit TCBs from outsourcing review and certification decision activities, and place limits on how TCBs may use external (outsourced) resources. TCBs are required to maintain appropriate

oversight of outsourced resources, and include periodic audits and other activities required by ISO/IEC 17065. More disclosure of the locations of employees and testing locations will allow the Commission to consider how test labs and TCBs intend to comply with the Commission's rules regarding oversight. The Commission therefore amends § 2.960 to require TCBs to provide location information for employees engaged in certification.

The Commission further clarifies that knowing where a TCB's or test lab's employees are located and where they carry out their testing activities is necessary to assess a test lab or TCB's impartiality. As explained by FDD, certain foreign laws, including national security laws, may coerce corporate cooperation with state intelligence objectives such that they cannot credibly demonstrate operational independence from a foreign government. While a foreign government's ability to coerce an FCC-recognized test lab's cooperation is strongest when that test lab is either an arm of the government or owned by the government, the foreign government can also exercise influence when it has jurisdiction over the employees and testing. For these reasons, the Commission clarifies that disclosure of this information is required to ensure the integrity of the Commission's equipment authorization program. The Commission therefore updates its rules accordingly.

To eliminate any privacy concerns, the Commission notes that it will not require the personal address of employees or their personally identifiable information, unless required as part of an investigation into the truthfulness of such disclosures. Instead, the Commission requires the business address where the employee conducts testing or reviews certification applications for a TCB. The record shows broad support for the adoption of this requirement, and the Commission believes this measured approach balances U.S. national security concerns and unnecessary granularity.

The Commission disagrees with LGAI Technological Center that the increase in regulatory burden implementing this requirement does not provide sufficient regulatory benefit. To the contrary, as the Commission has previously noted, "[i]t is obvious and unarguable that no governmental interest is more compelling than the security of the Nation." The TCBs are charged with ensuring that all equipment authorization approvals it issues are not affected by the improper influence of a foreign government, which promotes U.S. national security while test labs have access to sensitive and innovative equipment prior to its availability in the commercial marketplace. The Commission similarly disagrees

with the contention of China's State Administration for Market Regulation (SAMR) that requiring country locations of TCB and test lab employees is inconsistent with the TBT Agreement. The referenced provisions in the TBT Agreement do not apply to requirements for conformity assessment bodies to receive accreditation.

C. Post-market surveillance

Under current Commission rules, a TCB must perform appropriate post-market surveillance activities in accordance with ISO/IEC 17065. While the standard provides a general framework for surveillance, OET provides greater specificity on post-market surveillance procedures for TCBs. The post-market surveillance procedures are published in an OET document known as "KDB 610077," which provides specific benchmarks such as the number and types of samples that a TCB must test and includes sample templates and checklists to help TCBs streamline their surveillance reporting.

The Commission agrees with comments supporting the Commission taking a more active role in managing the post-market surveillance program. An effective surveillance program allows the public to trust that their FCC-certified electronics in the real world are consistent with those submitted for certification testing in the lab. The Commission's current post-market surveillance procedures were last published in April 2022. The Commission believes these surveillance procedures require revisions to consider the rapidly evolving national security threat landscape and the new risks to the Commission's equipment authorization program explained over the last four years in the Commission's *EA Security* and the *EA Integrity* proceedings. The Commission agrees with comments seeking further clarification of post-market surveillance procedures and directs OET to release a public notice developing revised procedures.

The Commission directs OET to include in the revised surveillance procedures questions about the sampling rate, such as whether TCBs are required to sample five percent of their certification grants in the same calendar year. Such questions are a valid concern, as TCBs often cannot predict how many certification grants they will issue by year-end and are left uncertain in December if they will meet their sampling quotas for the year. The Commission directs OET to include in the surveillance procedures methods for TCBs to elevate concerns, such as when grantees are uncooperative in providing required samples for surveillance testing or when they believe other TCBs have deficient surveillance procedures. The Commission also directs OET to provide greater transparency when surveillance discovers

noncompliance by making significant instances of noncompliance public. Such transparency would be consistent with the surveillance practices of other agencies that rely on ISO/IEC 17025-accredited test labs, such as the Consumer Product Safety Commission.

D. Stronger enforcement

The Commission sought comment on reasonable practices TCBs could implement to better identify equipment that may be noncompliant with Commission rules, despite authorization, and also sought comment on additional safeguards that it should consider to further ensure the impartiality of TCBs and test labs.

The Commission agrees with commenters supporting stronger enforcement of existing rules. The Commission notes that stronger enforcement of the equipment authorization regime is exactly what the Commission intended when it created the TCB system. Back in 1998, the Commission recognized that “the integrity of the TCB program must be based on the Commission’s ability to enforce its rules effectively.” The Commission anticipated that the TCB program would reduce Commission resources devoted to processing applications and stated the Commission’s intent to “redirect resources toward enforcement of the rules.”

Commenters have urged the Commission to hold manufacturers accountable for inaccuracies in their equipment authorization applications. The Commission clarifies that current Commission rules already hold applicants, including manufacturers, liable for the types of misconduct referenced in these commenters. Section 2.911(d) of the Commission’s rules require applicants to provide “a written and signed certification . . . that all statements it makes in its request for equipment authorization are true and correct to the best of its knowledge and belief.” Submitting false information in an equipment authorization violates the Commission’s rules requiring truthful and accurate statements to the Commission. When an applicant submits written materials, a violation may occur even absent an intent to deceive; a factually inaccurate statement in an equipment authorization application may violate § 1.17(a)(2) of the Commission’s rules if it is provided without a reasonable basis. The Commission takes very seriously the duty of candor that all applicants, including manufacturers, owe when they apply for equipment authorizations. In 2024, the Commission proposed the statutory maximum civil penalties against a Chinese doorbell camera manufacturer for submitting false certifications under § 2.911(d) in its equipment authorization application. The Commission further notes that violations of the

Communications Act or the Commission's also can result in seizure of equipment through *in rem* forfeiture actions, as well as criminal sanctions, including imprisonment. The Commission will not hesitate to refer violations to federal law enforcement partners when warranted by the facts, especially when violations implicate national security equities.

The Commission also received comments that the Commission should hold test labs accountable for deficient test results. The Commission agrees that such behavior may violate the impartiality provisions of IEC/ISO 17025, a requirement for FCC test lab recognition. The Commission clarifies that its rules provide that test labs that submit false test results may also be in violation of the requirement in § 1.17 of the Commission's rules requiring truthful and accurate statements. The Commission further clarify that a TCB that willfully or repeatedly submits fraudulent or unreliable test results may likewise be in violation of the impartiality provisions of IEC/ISO 17065, and by extension, the requirements for FCC recognition of TCBs.

E. Confidential reporting channels

The Commission sought comment on any other measures the Commission might take to strengthen the integrity of the post-market surveillance process.

The Commission agrees with these comments and directs OET to create a confidential channel for professionals, industry participants, and other key stakeholders in the Commission's equipment authorization program to report suspected violations and national security concerns. The Commission agrees with the DOJ NSD comment that market dynamics and commercial relationships may dissuade participants from reporting concerns. Industry participants may be especially deterred from reporting publicly if their concerns involve a nation-state actor with the capability to retaliate.

F. Consolidated List of "prohibited entities"

Current Commission rules incorporate numerous sources in the definition of "prohibited entity." Moreover, current Commission rules incorporate numerous sources in this definition, including the FCC Covered List and other lists promulgated by the Departments of Commerce, Homeland Security, and Treasury, as well as multiple statutes naming entities. In response to the *EA Integrity* FNPRM, three TCBs commented on the difficulties they have faced and proposed that the Commission provide more data tools to help TCBs review for prohibited entities.

The Commission agrees with these commenters. The Commission finds that organizing and sharing more information with TCBs will help them screen prohibited entities more efficiently. Creating a consolidated list will promote the integrity of the Commission's equipment authorization program. The Commission also finds such a list would streamline and alleviate unnecessary administrative compliance burden on the Commission's TCBs, all of whom are based in the United States or allied MRA nations. The Commission's TCBs are valuable partners in its shared mission of ensuring the safety and security of Americans' electronic devices—and its national security. The Commission directs OET to create a single consolidated list of prohibited entities under § 2.902 of its rules and to share it with TCBs in human and, to the extent feasible given limited resources, machine-readable format. The Commission also directs OET to update that list on a timely basis.

ORDER ON RECONSIDERATION

Garmin International, Inc. submitted a Petition for Reconsideration on September 8, 2025, requesting that the Commission reconsider the ownership reporting requirement adopted in the Commission's *First EA Integrity R&O* and codified in §§ 2.949(d)(9), 2.951(c), and 2.962(d). The requirement in question requires TCBs and test labs to report ownership changes of five percent or more equity in the entity no later than 30 days after the relevant change takes effect. Garmin maintains that the new requirement creates unnecessary challenges for U.S. publicly traded companies and is in conflict with the timeline for the ownership reporting requirements of the SEC's Exchange Act Rule 13d-1. Garmin petitioned the Commission to either modify the relevant sections and align the deadlines with the SEC reporting requirements or to exempt U.S. equipment authorization entities from the reporting requirement entirely. Garmin reiterated their argument in comments submitted in response to public notice of its petition. Likewise, comments of the Consumer Technology Association (CTA) echoed Garmin's concerns and recommended that the Commission either adopt Garmin's recommendations or provide an exemption to equipment authorization entities based in countries in an MRA with the United States.

The Commission grants Garmin's Petition and amends §§ 2.949(d)(9), 2.951(c), and 2.962(d) of its rules as applied to U.S. publicly traded companies so that the 30-day notice deadlines set forth in these rules are triggered by actual knowledge regarding a new or former five percent owner, rather than

triggered by when the ownership change takes effect. Specifically, the Commission amends its rules to define the appropriate trigger as actual knowledge of the new five percent owner, such as the filing of the appropriate Schedule 13D and/or 13G by the acquirer as required by the SEC. The Commission believes this change will allow publicly traded companies, if they otherwise lack actual knowledge, to rely on public information that they can be reasonably expected to obtain without additional cost burdens, while avoiding substantial delays in the transmission of foreign ownership information to the Commission.

Benefits and Costs

Benefits. The adopted rules will enhance the integrity and security of the equipment authorization program, yielding cost saving and other benefits that outweigh the associated compliance costs. By incentivizing domestic testing through a fast-track PAG process, the Commission strengthens supply chain resilience and reduces reliance on foreign entities that pose national security risks. This approach mitigates threats such as intellectual property theft and foreign surveillance, thus ensuring that sensitive technologies are evaluated in secure environments. These benefits extend beyond national security; they also promote consumer confidence in FCC-certified devices and foster a robust U.S. testing ecosystem. In addition to these potentially substantial, but difficult to quantify benefits from enhancing national security and fostering a robust U.S. testing environment, a fast track review process could also potentially save time for certifications made by U.S. laboratories and TCBs, decreasing labor costs and decreasing the time that it takes to bring new products to market.

Although the benefits of enhanced national security and the strengthening of the equipment authorization process can be substantial, the Commission does not attempt to quantify them here. The Commission finds that the cost savings to applicants already eligible for the fast track PAG process alone, outweigh the costs associated with the adopted rules. In 2025, OET reviewed approximately 3,369 PAG applications, including 579 submitted through U.S.-based test labs and TCBs. Assuming the fast-track PAG process affects 10% of domestic PAG applications and reduces time spent by technical staff in filing the application and responding to Commission inquiries by 32 hours per expedited PAG applications, the Commission estimates that the adopted rule will result in approximately \$218,000 in annual cost savings to applicants using U.S.-based test labs and an additional \$552,000 in annual cost savings to applicants using Trusted Test Labs outside the United States. This estimate is highly conservative, as it does not account for the substantial benefits of reducing the time that it takes to bring products to market. This

estimate is also likely too low because it assumes the volume of domestic PAG applications remains unchanged following the adoption of this rule. If applicants increase PAG submissions through Trusted Test Labs as a result of the expedited process for domestic applications, the benefits would exceed the Commission's current estimate.

The Commission finds that adopting the rules to revise post-market surveillance procedures, strengthen enforcement mechanisms, establish confidential reporting channels, and create a machine-readable list of prohibited entities will provide greater regulatory clarity, deter violations, and prevent equipment posing unacceptable risks from entering U.S. markets. In addition, granting Garmin's Petition for Reconsideration aligns the Commission's ownership reporting requirements with SEC timelines and minimize burdens on publicly traded companies.

The costs imposed by these rules—such as reporting employee locations and implementing enhanced post-market surveillance—are modest and primarily administrative. These measures are essential to assess impartiality and compliance with Commission rules, and they align with existing ISO standards that TCBs and test labs already follow. The Commission finds that the cost of complying with the updated post-market surveillance guidance under OET directives is negligible because TCBs already incur these compliance costs whenever updates are issued. The Commission does not provide a separate estimate of the cost for applicants to shift applications from non-U.S. based test labs and TCBs to U.S.-based facilities because such decisions are entirely voluntary and would only occur when applicants determine that the benefits of doing so outweigh the associated costs. The Commission finds that the fast-track PAG process will yield annual benefits of approximately \$770,000, which exceeds the estimated annual reporting cost of approximately \$16,000, not to mention additional unquantified benefits such as enhanced national security and a strengthened equipment authorization process.

ORDERING CLAUSES

IT IS ORDERED, pursuant to the authority found in sections 1, 4(i), 229, 301, 302, 303, 309, 312, 403, and 503 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 229, 301, 302a, 303, 309, 312, 403, and 503, section 105 of the Communications Assistance for Law Enforcement Act, 47 U.S.C. 1004; the Secure and Trusted Communications Networks Act of 2019, 47 U.S.C. 1601

1609; and the Secure Equipment Act of 2021, Pub. L. 117 55, 135 Stat. 423, 47 U.S.C. 1601 note, that this *Second Report and Order* and Order on Reconsideration IS HEREBY ADOPTED.

IT IS ORDERED that the amendments of part 2 of the Commission's rules ARE ADOPTED, effective 30 days after the date of publication in the *Federal Register*, with the exception of sections that contain new or modified information collection requirements that require review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. The Commission directs the Office of Engineering and Technology to establish and announce the effective date of these sections in a document published in the *Federal Register* after completion of OMB review.

IT IS ORDERED that the petition for reconsideration of Garmin International, Inc., submitted September 8, 2025, in this docket is GRANTED to the extent discussed herein.

IT IS ORDERED that the Commission's Office of the Secretary, SHALL SEND a copy of this *Second Report and Order* and Order on Reconsideration, including the Final Regulatory Flexibility Analyses, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy.

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

List of Subjects in 47 CFR Part 2

Administrative practice and procedures, Communications equipment, Reporting and recordkeeping requirements, Telecommunications.

Federal Communications Commission.

Aleta Bowers,
Federal Register Liaison Officer,
Office of the Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 2 as follows:

PART 2 — FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

1. The authority citation for part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

2. Delayed indefinitely, further amend § 2.949 by adding paragraphs (b)(5) and (6) and (d) to read as follows:

§ 2.949 Recognition of laboratory accreditation bodies.

* * * * *

(b) * * *

(5) Certification to the Commission that the laboratory accreditation body is not owned by, controlled by, or subject to the direction of a prohibited entity pursuant to § 2.902.

(6) Documentation to the Commission identifying any entity that has equity or voting interests of 5% or greater in the laboratory accreditation body.

* * * * *

(d) Each recognized laboratory accreditation body must provide to the Commission, in accordance with § 2.950 and no later than 30 days after any relevant change to the required information takes effect, or in the case of U.S. publicly traded companies, after having actual knowledge of any relevant change:

(1) Certification to the Commission that the laboratory accreditation body is not owned by, controlled by, or subject to the direction of a prohibited entity pursuant to § 2.902.

(2) Documentation to the Commission identifying any entity that has equity or voting interests of 5% or greater in the laboratory accreditation body.

* * * * *

3. Amend § 2.951 by adding and reserving paragraphs (a)(10) and (11) and adding paragraph (a)(12) to read as follows:

§ 2.951 Recognition of measurement facilities

(a) * * *

(12) The number and location of all employees or agents that are engaged in FCC-recognized testing and/or certification, including those based outside the United States.

* * * * *

4. Delayed indefinitely, further amend § 2.951 by adding paragraphs (a)(10) and (11) and (c) to read as follows:

§ 2.951 Recognition of measurement facilities.

(a) * * *

(10) Certification to the Commission that the laboratory is not owned by, controlled by, or subject to the direction of a prohibited entity pursuant to § 2.902.

(11) Documentation to the Commission identifying any entity that has equity or voting interests of 5% or greater in the laboratory.

* * * * *

(c) Each recognized laboratory must provide to the Commission, in accordance with § 2.950 and no later than 30 days after any relevant change to the required information takes effect, or in the case of U.S. publicly traded companies, after having actual knowledge of any relevant change:

(1) Certification to the Commission that the laboratory is not owned by, controlled by, or subject to the direction of a prohibited entity pursuant to § 2.902.

(2) Documentation to the Commission identifying any entity that has equity or voting interests of 5% or greater in the laboratory.

* * * * *

5. Amend § 2.960 by adding paragraph (a)(8) to read as follows:

§ 2.960 Recognition of Telecommunication Certification Bodies (TCBs)

(a) * * *

(8) Demonstrates impartiality and compliance with Commission rules by disclosing the number and location of all employees or agents that are engaged in FCC-recognized testing and/or certification, including those based outside the United States.

* * * * *

6. Delayed indefinitely, further amend § 2.962 by adding paragraph (d)(9) to read as follows:

§ 2.962 Requirements for Telecommunication Certification Bodies.

* * * * *

(d) * * *

(9) Provide to the Commission, in accordance with § 2.950 and no later than 30 days after any relevant change to the required information takes effect, or in the case of U.S. publicly traded companies, after having actual knowledge of any relevant change:

(i) Certification to the Commission that the TCB is not owned by, controlled by, or subject to the direction of a prohibited entity pursuant to § 2.902; and

(ii) Documentation to the Commission identifying any entity that has equity or voting interests of 5% or greater in the TCB.

* * * * *

7. Amend § 2.964 by revising paragraph (a) to read as follows:

§ 2.964 Pre-approval guidance procedure for Telecommunication Certification Bodies.

(a) The Commission will publish a “Pre-approval Guidance (PAG) List” identifying the categories of equipment or types of testing for which Telecommunication Certification Bodies (TCBs) must request guidance from the Commission before approving equipment on the list. The PAG list will prioritize for approval equipment tested in Trusted Test Labs, i.e. test labs located in the United States or those test labs located in the territory of an economy with which the United States has negotiated reciprocal treatment through a trade agreement.

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