■ 106. In § 598.314, in note 3 to the section, revise and republish the last sentence to read as follows:

§ 598.314 Specially designated narcotics trafficker.

* * * * *

Note 3 to § 598.314: * * * Inquiries regarding any such order should be directed to OFAC at *https://ofac.treasury.gov/contact-ofac.*

* * * * *

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

§ 598.508 [Amended]

■ 107. In § 598.508, in paragraph (b) introductory text, remove ''five''.

PART 599—ILLICIT DRUG TRADE SANCTIONS REGULATIONS

■ 108. The authority citation for part 599 continues to read as follows:

Authority: 3 U.S.C. 301; 21 U.S.C. 2301 *et seq.;* 31 U.S.C. 321(b); 50 U.S.C. 1601 *et seq.,* 1701 *et seq.;* Public Law 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 14059, 86 FR 71549, 3 CFR, 2021 Comp., p. 715.

Subpart B—Prohibitions

■ 109. In § 599.201, in note 3 to the section, revise and republish the last sentence to read as follows:

§ 599.201 Prohibited transactions.

* * * * *

Note 3 to § 599.201: * * * Inquiries regarding any such order should be directed to OFAC at *https://ofac.treasury.gov/contact-ofac.*

* * * * *

§§ 599.310 and 599.501 [Amended]

■ 110. In 31 CFR Part 599, remove ''*www.treas.gov/ofac*'' and add in its place ''*https://ofac.treasury.gov*'''' in the following sections:

■ a. Section 599.310 (paragraphs (b) and (c)); and

■ b. Section 599.501.

APPENDIX A TO CHAPTER V—INFORMATION PERTAINING TO THE SPECIALLY DESIGNATED NATIONALS AND BLOCKED PERSONS LIST AS WELL AS OTHER SANCTIONS LISTS

■ 111. The authority citation for appendix A to chapter V continues to read as follows:

Authority: 3 U.S.C. 301; 8 U.S.C. 1182, 1189; 18 U.S.C. 2339B; 21 U.S.C. 1901–1908; 22 U.S.C. 287c; 31 U.S.C. 321(b); 22 U.S.C. 9201–9255; 22 U.S.C. 10101–10103; 50 U.S.C. App. 1–44; Public Law 110–286, 122 Stat. 2632 (50 U.S.C. 1701 note); Public Law 111–195, 124 Stat. 1312 (22 U.S.C. 8501–8551); Public Law 112–81, 125 Stat. 1298 (22 U.S.C. 8513a); Public Law 112–158, 126 Stat. 1214 (22 U.S.C. 8701–8795); Public Law 112–208, 126 Stat. 1502 (22 U.S.C. 5811 note); Public Law 113–278, 128 Stat. 3011 (50 U.S.C. 1701 note); Public Law 114–102, 129 Stat. 2205 (50 U.S.C. 1701 note); Public Law 114–194, 130 Stat. 674 (50 U.S.C. 1701 note); Public Law 115–44, 131 Stat. 886 (codified in scattered sections of 22 U.S.C.).

Appendix A to Chapter V [Amended]

■ 112. Amend appendix A to chapter V by revising the heading to read as set for the above.

■ 113. Further amend appendix A to chapter V by revising and republishing the second paragraph and notes 5 and 7 to read as follows:

Appendix A to Chapter V—Information Pertaining to the Specially Designated Nationals and Blocked Persons List as Well as Other Sanctions Lists

* * * * *

In addition to accessing information through OFAC's website, the public may contact OFAC at *https://ofac.treasury.gov/contact-ofac.* The public also may contact OFAC in writing at the following address: Office of Foreign Assets Control, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

Notes: * * *

5. Notices of blocking, designation, identification, and delisting actions are published in the **Federal Register** frequently and at irregular intervals. Updated information on OFAC blocking, designation, identification, and delisting actions is provided on OFAC's website (*https://ofac.treasury.gov*). In addition, such information is incorporated on an ongoing basis into OFAC's SDN List, or Consolidated non-SDN list, which are available for review on, or download from, the following locations on OFAC's website: *https://sanctionslist.ofac.treas.gov/Home/SdnList* and *https://sanctionslist.ofac.treas.gov/Home/ConsolidatedList* respectively. Please contact OFAC with questions about OFAC-administered sanctions programs, including current electronic sources of OFAC information, at *https://ofac.treasury.gov/contact-ofac.* Updated information on OFAC designations and other OFAC actions should be consulted before engaging in transactions that may be prohibited by the economic sanctions programs in this chapter.

* * * * *

7. The SDN List incorporates the names of vessels owned by blocked persons, which are themselves blocked. SDN List entries for blocked vessels, which include the notation ''(vessel),'' are incorporated into the SDN List. Except in limited circumstances, financial institutions are instructed to reject any funds transfer referencing a blocked vessel and must notify OFAC through the OFAC Reporting System, available on OFAC's website, *https://ofac.treasury.gov/ofac-reporting-system,* with a copy of the payment instructions, that funds have been returned to remitter due to the possible involvement of a blocked vessel in the underlying transaction. *See* § 501.604(b)(1) of this chapter. Financial institutions should contact OFAC at *https://ofac.treasury.gov/contact-ofac* for further instructions should the name of a blocked vessel appear in shipping documents presented under a letter of credit or if noticed in a documentary collection. Blocked vessels must themselves be physically blocked should they enter U.S. jurisdiction. Freight forwarders and shippers may not charter, book cargo on, or otherwise deal with blocked vessels.

* * * * *

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–15112 Filed 7–24–26; 8:45 am]

BILLING CODE 4810–AL–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 1

[OI Docket No. 24–523, MD Docket No. 24–524; FCC 26–42, FR ID 357114]

Review of Submarine Cable Landing License Rules and Procedures To Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) adopted a *Second Report and Order* that promotes the deployment of submarine cables while strengthening national security interests in connection with their modern capabilities. The *Second Report and Order* establishes a regulatory regime for licensing owners and/or operators of submarine line terminal equipment (SLTE), including granting a blanket license to certain current and future SLTE owners and/or operators that are not currently a licensee. The *Second Report and Order* adopts certain routine conditions and outlines reporting requirements for SLTE owners and operators. The *Second Report and Order* also adopts further national security-related routine conditions and certification requirements. Finally, the *Second Report and Order* adopts an approach to expedite submarine cable deployment by presumptively exempting applications that meet ten national security standards from Commission referral to the Executive Branch agencies.

DATES: *Effective date:* These rules are effective September 25, 2026, except for amendatory instructions 4 (§ 1.40001), 5 (§ 1.40001), 8 (§ 1.70003), 9 (§ 1.70006), 11 (§ 1.70007(u), (w)(2), (y) through (ii)), 12 (§ 1.70011), 13 (§ 1.70012), 14 (§ 1.70014), 15 (§ 1.70017), 16 (§ 1.70018), 17 (§ 1.70020), 18 (§ 1.70025), 19 (§ 1.70026), 20 (§ 1.70027), 21 (§ 1.70028), and 22 (§ 1.70029), which are delayed indefinitely. The Commission will publish a document in the **Federal Register** announcing the effective date of these rule sections.

FOR FURTHER INFORMATION CONTACT: Svantje Swider, Office of International Affairs, Telecommunications and Analysis Division, at *svantje.swider@fcc.gov* or at (202) 418–0772. For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Cathy Williams at 202–418–2918 or *Cathy.Williams@fcc.gov,* or send an email to *PRA@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Second Report and Order,* in OI Docket No. 24–523, MD Docket No. 24–524, FCC 26–42, adopted on June 25, 2026, and released on June 30, 2026. The full text of this document is available online at *https://docs.fcc.gov/public/attachments/FCC-26-42A1.pdf.* To request materials in accessible formats for people with disabilities, send an email to *FCC504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

Synopsis

Introduction

In this *Second Report and Order,* we adopt rules that promote the deployment of submarine cables while strengthening national security interests in connection with their modern capabilities. Our actions recognize that a significant gap exists in our rules concerning the submarine line terminal equipment (SLTE). We find it imperative to adopt a licensing requirement concerning SLTE owners and/or operators. In today's *Second Report and Order,* we establish a regulatory regime for licensing owners and/or operators of SLTE, including granting a blanket license to any current and future SLTE owners and/or operators that are not currently a licensee and are not otherwise subject to the exceptions discussed below. In this *Second Report and Order,* we use the term ''SLTE owners and operators'' to refer to any entity that owns and/or operates SLTE on a submarine cable landing in the United States and is not a licensee under our current submarine cable licensing requirement in § 1.767(h) or § 1.70003(a) and/or (b) as amended. 47 CFR 1.767(h); *2025 Submarine Cable First Report and Order and FNPRM,* 40 FCC Rcd at 6637, Appx. A (§ 1.70003(a) and (b)), 90 FR 48648, 48694–95 (Oct. 27, 2025). In adopting a regulatory regime, we adopt certain routine conditions and outline reporting requirements for SLTE owners and operators. We then build on our security efforts made in the *2025 Submarine Cable First Report and Order* by adopting further national security-related routine conditions and certification requirements. Finally, we adopt an approach to expedite submarine cable deployment by presumptively exempting applications that meet ten national security standards from Commission referral to the Executive Branch agencies, in order to unleash investment in submarine cable infrastructure. These national security standards in combination will ensure continued oversight by the Committee and ensure that our fast-track approach does not undermine national security, law enforcement, foreign policy, and/or trade policy objectives. These immediate steps reaffirm our commitment to accelerating the deployment of submarine cable infrastructure, without jeopardizing national security. At this time, we defer consideration or decline adoption of additional proposals made in the *2025 Submarine Cable First Report and Order and Further Notice,* as discussed below, and we expect to conduct the one-time information collection adopted in that Report and Order in the near future to gain further information into the SLTE landscape.

Discussion

A. SLTE Licensing Framework

We adopt a regulatory framework for SLTE owners and operators to execute our duties to protect national security under the Cable Landing License Act and Executive Order 10530. Cable Landing License Act of May 27, 1921, Public Law 8, 67th Cong., ch. 12, § 1, 42 Stat. 8 (1921) (codified as amended at 47 U.S.C. 34–39) (Cable Landing License Act); Executive Order 10530, sec. 5(a). We find it critical to include SLTE owners and operators as licensed entities on submarine cables landing in the United States. First, we find that the Cable Landing License Act and Executive Order 10530 authorize the Commission to regulate entities that own and/or operate SLTE on a submarine cable connecting to the United States. Second, we adopt a blanket license for SLTE owners and operators not otherwise currently licensed under our submarine cable rules. This blanket license approach combined with tailored routine conditions avoids imposing requirements comparable to current cable landing licensee rule requirements prior to the one-time information collection. Third, to protect national security and law enforcement interests, we exclude from the grant of this blanket license any entity that would not be qualified to hold a cable landing license under our presumptive disqualifying conditions. Fourth, we require SLTE owners and operators to adhere to a subset of routine conditions for cable landing licensees, among other requirements, to comply with Commission rules and regulations, file annual Section 43.82 circuit capacity reports, and create, implement, and update cybersecurity and physical security risk management plans. Finally, for situations where submarine cables contain SLTEs that are owned and/or operated by foreign adversary-controlled entities and/or Covered List entities at the time the rules become effective, SLTE owners and operators must file an SLTE Foreign Adversary Annual Report. This annual reporting requirement will structure transparency tools to help the Commission maintain consistent oversight over submarine cable operations, including those SLTEs associated with foreign adversary interests. Our actions today are the initial steps in our application of the submarine cable licensing regime to SLTE owners and operators given the technological advancements in today's modern submarine cable systems. We anticipate conducting the one-time information collection adopted in the *2025 Submarine Cable First Report and Order* in the future to further inform any future regulatory changes regarding SLTE.

B. New Certifications and Routine Conditions

We build on the Commission's submarine cable modernization effort started in the *2025 Submarine Cable First Report and Order,* by adopting updated certifications and routine conditions for applicants and existing licensees on a cable landing license subject to Section 1.70003(a)(1) or (a)(2). These targeted updates continue to improve upon the Commission's ability to safeguard national security. We adopt the proposals from the *2025 Submarine Cable Further Notice* and add new certification requirements for submarine cable applicants and existing licensees, adopt new routine conditions for licensees that hold a cable landing license under Section 1.70003(a)(1) and (a)(2), with exceptions, and facilitate information sharing with other federal agencies to protect national security. In this *Second Report and Order,* we use the term ''existing licensees'' to refer to a cable landing licensee whose license was or is granted prior to the effective date of the Second Report and Order or the new rules, as applicable and discussed herein.

We adopt certifications and routine conditions that will prohibit the following: (1) the use of principal equipment that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by foreign adversary-controlled entities in a submarine cable system; (2) the use of third-party service providers that are foreign adversary-controlled entities, entities identified on the Covered List, or entities that can access the submarine cable from a foreign adversary country, and (3) licensees, their customers, and further downstream customers from entering into IRUs and capacity lease arrangements with entities identified on the Covered List, where such arrangement would give such entity (*i.e.,* the IRU holder or lessee) the ability to install, own, or manage SLTE on a submarine cable landing in the United States. We also adopt certifications and routine conditions that will require licensees to notify the Commission when there are ownership changes or changes to the Commission's Covered List. Our action today will also protect national security by requiring licensees to notify the Commission of changes to the address or geographic coordinates, intention to not renew the license for the submarine cable system, and the retirement of submarine cables. Lastly, we adopt a rule that allows the Commission to share with the Committee and relevant federal government agencies information that is filed with the Commission pursuant to Section 1.40001 and subpart FF, as amended, on a confidential basis, without the pre-notification requirements of Section 0.442(d) of the Commission's rules.

C. Streamlining and Expediting Submarine Cable Applications

We take action to streamline and expedite the processing of submarine cable applications while still ensuring the security and integrity of submarine cable systems in partnership with the Committee Members. First, we establish a set of ten national security standards that, if met, will qualify a submarine cable application to be presumptively exempt from referral to the Executive Branch agencies. These national security standards in combination will ensure an applicant adheres to the highest level of protective measures to mitigate national security, law enforcement, foreign policy, and/or trade policy concerns. Second, we exclude from referral to the Executive Branch agencies certain renewal or extension applications where the Commission referred and the Executive Branch agencies reviewed an application previously filed by the applicant within three (3) years of the filing of the renewal or extension application. We find that reducing the number of applications that are referred to the Committee will provide regulatory certainty and reduce delays for applicants while decreasing administrative burdens on the U.S. government by prioritizing the review of applications that present significant national security and law enforcement concerns. Overall, our actions will promote faster submarine cable deployment, reduce administrative and regulatory burden on both the U.S. government and licensees, and yield greater resilience in U.S. submarine cable connectivity.

Regulatory Impact Analysis

A. Need for Regulatory Action

The rules adopted today are necessary to enhance our national security and to ensure that the United States maintains its leadership position in advanced technology, including artificial intelligence (AI). Carrying the vast majority of transcontinental digital communications, submarine cables serve as the foundational backbone of the global internet. The SLTE is the equipment on both ends of the submarine cable system that converts optical signals to electrical signals and vice versa, thereby connecting undersea transmission with terrestrial transmission of telecommunications traffic. Thus, an entity that owns or operates SLTE is able to affect the operation of the submarine cable system, whether or not it holds an ownership interest in the overall cable system. Therefore, an entity affiliated with a foreign adversary that owns or operates SLTE in the United States introduces a similar risk to national security as if the entity owned the submarine cable itself. Potential vulnerabilities in this type of situation include threats of physical disruption, manipulation of service, overt attacks, as well as interception of unencrypted traffic. *See* Anthropic Ex Parte at 3 (''Adversarial SLTE or fiber owners could selectively deny service, degrade performance, or power down infrastructure supporting AI workloads.''). The rules adopted today will improve the Commission's oversight of this critical infrastructure.

In addition to addressing vulnerabilities associated with SLTE, the *Second Report and Order* addresses remaining gaps—discussed in detail in section III.B—in our regulatory framework that pertain to both existing and new licensees. For example, cable landing licensees can enter into agreements with customers for dark fiber IRUs or other leases for capacity, which is another vulnerability because IRU holders and lessees can control capacity connecting the United States with a foreign country or another location in the United States, without needing to build the underlying infrastructure. The growth in investment in submarine cables potentially magnifies vulnerabilities in the submarine cable system, making it more important to address remaining gaps.

B. Benefits

The rules adopted in the *Second Report and Order* build upon the concrete efforts and harmonized approach adopted in the *2025 Submarine Cable First Report and Order* by establishing a regulatory framework for SLTEs. The Commission's increased oversight of SLTEs should improve the security and resilience of submarine cable systems and mitigate threats from foreign adversaries, while minimizing undue administrative burden on trusted providers and entities. By establishing blanket licensing of current SLTE owners and operators, as well as adopting a presumptive exclusion from referral to the Executive Branch agencies for entities that meet the national security standards, the rule actions we adopt today should minimize administrative burdens on industry, while encouraging deployment of a more secure submarine cable infrastructure. Importantly, the rules should limit the ability of untrustworthy submarine cable licensees including SLTE owners and operators to undermine our nation's defense, public safety, and homeland security options, our military readiness, and our critical infrastructure. The rules should also ensure that the United States continues to lead the world in the development of AI, data centers, cloud computing, streaming, financial transactions, and the e-commerce sector.

The *Second Report and Order* requires SLTE owners and operators to be licensees under the Cable Landing

License Act, and those entities that qualify, including all current SLTE owners and operators, will be given a blanket license. This blanket licensing of SLTE owners and operators should greatly increase the Commission's ability to oversee and protect this critical infrastructure, while minimizing administrative burdens associated with licensing SLTE owners and operators.

As noted above, SLTE plays a critical role in the overall functioning of a cable system as it converts optical signals from submarine cables into electric signals that can be carried by terrestrial networks. The mandatory licensing of all SLTE owners and operators should increase the Commission's ability to monitor the strategic chokepoints where a large volume of traffic passes through, ensuring that foreign adversaries cannot achieve significant access and control of the United States submarine cable network. As the Commission noted in the *2024 Submarine Cable NPRM,* a foreign adversary that is not a licensee but owns or controls an SLTE on a submarine cable landing in the United States would have connectivity comparable to operating their own submarine cable to the U. S., which could present a significant threat to national security.

The routine conditions adopted in the *Second Report and Order* should help ensure that SLTE owners and operators do not become a weak point in the nation's submarine cable infrastructure by, among other things, providing the Commission with detailed information critical for assessing national security vulnerabilities. At the same time, the presumptive exclusion of qualified applicants from referral to the Executive Branch agencies should reduce the administrative burden on these entities.

The *Second Report and Order* requires entities that meet the foreign adversary and/or character disqualifying presumptions adopted in the *2025 Submarine Cable First Report and Order* to apply for a license to become an SLTE owner or operator rather than blanket licensing such entities. The exclusion from blanket licensing will ensure that entities subject to disqualifying presumptions undergo the scrutiny of the application process, giving the Commission the ability to screen for potential threats. These entities may continue to own and operate any current SLTEs that they have at the time these rules go into effect in order to avoid any regulatory uncertainty or disruption to submarine cable system operations that may be ultimately found eligible to hold a submarine cable landing licensee.

The requirement that all SLTE owners and operators develop cybersecurity and physical security risk management plans should help to ensure that SLTE owners and operators follow best practices to mitigate risk. We note, however, that to balance our goal of safeguarding critical infrastructure with the goal of reducing administrative burdens, in the *Second Report and Order,* we do not require licensees to certify the risk management plans that they must develop with the Commission.

Submarine cables are estimated to carry as much as 99% of intercontinental internet traffic and serve as the backbone to global communications. The international submarine cable network facilitates more than $10 trillion financial transactions globally each day and the volume of data carried by submarine cables is dramatically increasing, including an increasing amount of confidential and sensitive data. Even a temporary, localized disruption to data passing through submarine cables would likely result in very substantial economic losses. Although both the risk of such losses and the quantitative harms of such losses are difficult to measure, on an annual basis, we find that they are likely well in excess of the annual costs that we estimate would be associated with our rules.

C. Costs

We estimate that the actions adopted today will impose costs totaling approximately $39.2 million in the first year and $10.7 million in subsequent years. These costs include one-time and recurring costs that SLTE owners and operators are expected to incur as a result of becoming licensees as well as additional recurring costs that existing and new licensees would incur.

We estimate that there are approximately 3,136 SLTE owners and operators that will be subject to blanket licensing. We conservatively estimate this number by estimating that each of the 98 U.S. licensed cables has 16 fiber pairs, which each require 2 SLTEs (98 × 16 × 2 = 3,136). New SLTE owners and operators that do not qualify for blanket licensing will be required to file as applicants for a cable landing license under the Cable Landing License Act. We estimate that approximately 320 SLTE owners and operators will require a new license each year, and that at most, one-fifth of new SLTE owners and operators would be subject to the character and/or foreign adversary presumptions that would require them to incur the cost of applying for an individual license because they would not qualify for a blanket license. We conservatively estimate the number of new licensees under the blanket license as 320 = 16 fiber pairs per cable × 2 SLTEs per fiber pair × 10 submarine cables, where the number of submarine cables is based on the average annual number of applications during 2022–2024. In the *2025 Submarine Cable First Report and Order,* the Commission estimated that an application cost approximately $54,400, which means that the aggregate application cost for new SLTE owners and operators that do not qualify for a blanket license would be at most $3.5 million per year. We estimate this number by multiplying $54,400 times 320 and dividing by 5, which equals $3,481,600, and rounding up to $3.5 million per year.

In addition, all SLTE owners and operators will be subject to routine conditions designed to enhance transparency and security. These include the requirement to file annual circuit capacity reports, which we estimate will cost up to $3 million per year, and the requirement to create, update, and implement a cybersecurity and physical security risk management plan consistent with Section 1.70006(c) of our rules, for a one-time cost of approximately $28.5 million. We estimate a per applicant cost of $972 based on the Commission's estimates of circuit capacity report costs as represented in previous PRA statements. Thus, the $3 million annual cost is based on $972 × 3,136 SLTE owners and operators = $3,048,192, which we round to $3 million. Note that we do not add the 320 new SLTE owners and operators to this estimate because of likely overlap between this and the initial 3,136 figure as well as due to our expectation that other owners and operators may leave the market. International Section 214 Authorizations—47 CFR 63.10–63.25, 1.40001, and 1.40003, OMB Control No. 3060–0686 Paperwork Reduction Act (PRA) Supporting Statement at 10 (Apr. 01, 2024), In the *2025 Submarine Cable First Report and Order and FNPRM,* we estimated that creating a cybersecurity and physical security risk management plan costs approximately $9,100. *2025 Submarine Cable First Report and Order and FNPRM,* 40 FCC Rcd 6481, para. 236. We multiply this by 3,136 to obtain our one time cost of $28.5 million, but note that this is likely too high not only because the 3,136 figure is likely an overestimate, but also because various SLTE owners and operators may already have a cybersecurity and physical security risk management plan. New licensees, whether blanket licensed or not, will likewise encounter these costs for a conservative annual cost estimate of $2.9 million for cybersecurity and physical security risk management plan. Finally, SLTE owners and operators that meet certain criteria will be required to file an annual Foreign Adversary Annual Report, which we estimate will cost approximately $1.3 million per year. Filing an annual Foreign Adversary Annual Report will cost approximately $4,100. *Id.* We conservatively estimate that approximately 1/10th of the estimated 3,136 SLTE owners and operators would need to file to obtain our annual cost of $1.3 million (= $4,100 × 3,136 SLTE owners and operators/10).

We estimate a cost of approximately $51,000 per year across all licensees associated with new applicant certifications and notifications required under the adopted rules—such as changes in address or coordinates, intent not to renew, system retirement, and certifications related to foreign adversary ownership or Covered List changes. We estimate that preparation of the notification of intent of non-renewal of license, notification of submarine cable system retirement, certification of change in foreign adversary ownership, certification of change to the Department of Commerce's list of foreign adversaries, and certification of change to the Commission's Covered List will each require 2 hours of work by an attorney and 2 hours of work by support staff. We estimate that the cost of outside legal assistance is $300 per hour and the cost of in-house staff is $40 per hour, making the cost of preparing one notification or certification approximately $680 (($300 × 2 hours) + ($40 × 2 hours) = $680). Assuming 15 filings per type per year (for a total of 75 filings), the annual cost is approximately $51,000 ($680 × 75 filings = $51,000). Our cost data on wages for attorneys are based on the Commission's estimates of labor costs as represented in previous PRA statements. We do not anticipate substantial costs associated with the remaining routine conditions. With respect to the prohibition on cable landing licensees using any equipment in the operation of the submarine cable system that is produced by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, we note that the *Second Report and Order* does not require licensees to remove covered equipment and services from existing submarine cable systems. Moreover, we anticipate that moving forward, licensees that need to procure new equipment will be able to do so from vendors that are not owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, because the vast majority of submarine cable equipment is already supplied by other entities. Similarly, prohibiting arrangements such as IRUs and leases for capacity with entities on the Covered List is unlikely to result in significant foregone revenue, as the majority of all submarine cable capacity is leased by entities without such ties.

Finally, the Commission has taken steps to significantly reduce compliance costs for licensees while advancing national security objectives. For example, the *Second Report and Order* adopts an exemption for wet-segment repair and maintenance, addressing the primary operational concern and preventing significant cost increases. It also adopts a presumptive exemption framework that will generate cost savings for qualifying applicants by avoiding the expense and delay of Executive Branch referral. Applications meeting the exemption criteria will not undergo Executive Branch review, resulting in estimated annual cost savings of approximately $98,000. Based on data from January 1, 2023, to December 31, 2025, there were 36 applications referred to Executive Branch agencies, yielding an average of 12 referrals annually. If we assume that half of these applicants will be exempt from Executive Branch referral as a result of meeting our national security standard, and that being exempt will save 30% of their application costs, with each application costing $54,400, the annual savings would be approximately $98,000 (6 applications × $54,400 × 30% = $97,920, rounded to $98,000).

In sum, we estimate that the actions adopted in this *Second Report and Order* will result in a one-time cost of approximately $28.5 million and recurring annual costs of approximately $10.7 million. One-time costs consists of the $28.5 million necessary to implement a cybersecurity and physical security risk management plan. Recurring annual costs are calculated as $3.5 million + $3 million + $1.3 million + $52,000 + $2.9 million − $98,000 = $10,654,000, rounded to $10.7 million. As a result, we estimate costs of approximately $39.2 million in the first year and $10.7 million in subsequent years.

D. Alternative Policies

1. Alternative A—Limited or No Action

Under this alternative, the Commission would either decline to adopt any new rules governing Submarine Line Terminal Equipment (SLTE) owners and operators and would maintain the existing submarine cable licensing framework without modification or only take limited actions that would not entail licensing of SLTE owners and operators. First, we note that, as discussed in section III.A.1 and III.A.3, the *Second Report and Order* takes actions to streamline and expedite submarine cable applications. Second, as documented in the record, the current framework contains significant gaps—particularly the absence of direct oversight of SLTE owners and operators and the lack of uniform requirements related to the use of equipment produced by covered-list or foreign adversary entities. Maintaining the status quo would leave these gaps unaddressed, despite the rapid evolution of the submarine cable ecosystem, the increasing complexity of SLTE technology, and emerging national security risks associated with advanced undersea communications infrastructure.

Failure to modernize the regulatory approach would leave the submarine cable network vulnerable to otherwise avoidable security threats, reduce the Commission's visibility into entities with operational control of critical infrastructure, and allow continued use of foreign-adversary-produced equipment without adequate oversight. Moreover, the limited-or-no-action option would fail to realize potential gains in transparency, national security, and supply-chain integrity. For these reasons, we find that taking no action is not a recommended option and would be inferior to the adopted rules, which meaningfully reduce vulnerabilities while minimizing compliance burdens.

2. Alternative B—Adopt Rules Requiring SLTE Licensing and Targeted National Security Safeguards

Under this alternative, which we adopt, the Commission sets up a comprehensive framework requiring all SLTE owners and operators to be licensees, subject to a blanket license with exclusions for entities meeting foreign adversary or character disqualifying conditions. These rules subject SLTE owners and operators to a variety of routine conditions, which among other things, include obtaining Section 214 authority to handle telecommunications to or from the United States; the filing of annual circuit capacity reports per Section 43.82; creating, implementing, and updating cybersecurity and physical security risk management plans; and for entities subject to certain foreign adversary criteria, filing SLTE Foreign Adversary Annual Reports.

New and existing licensees will also be subject to certain prohibitions, including on use of ''principal equipment'' or third party services when, for instance, these are provided by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary. We note that the use of third party services is subject to a narrow exemption for wet-segment repair and maintenance to address a relative dearth of specialized cable repair ships available and the reality that problems on the submarine cable systems may occur outside the territorial waters of the United States. New and existing licensees will also be subject to various other routine conditions described in section IV of this Appendix. The adopted rules also streamline application review for lower-risk applicants by establishing ten national security standards that, if met, will qualify a submarine cable application to be presumptively exempt from referral to the Executive Branch agencies.

3. Alternative C—Adopt Rules Requiring (1) SLTE Licensing and Targeted National Security Safeguards, (2) the Removal and Replacement Covered List Equipment, and (3) the Elimination of the Wet Segment Exemption for Third-Party Service Providers

This alternative would differ from Alternative B, which we adopt, in two respects: (1) by requiring the removal and replacement of covered list equipment, (2) by foregoing the wet segment exemption for third-party service providers.

First, as discussed in section VI of this Appendix, while the *Second Report and Order* prohibits the use of principal equipment, it declined to require existing licensees to remove from their submarine cable system any and all covered equipment or services, within a specified timeframe. Although the alternative, of requiring licensees to remove and replace all existing Covered List equipment from submarine cable systems, including both dry and wet segments, might further bolster national security, doing so would likely increase compliance costs above and beyond the incremental benefit to national security. Mandatory removal of covered equipment, especially from the wet segment, would entail significant capital outlays, operational disruptions, and technical challenges. Various commenters agree, and claim that sudden, costly rip and replace mandates could deter future private investment and threatening to cede U.S. leadership in cable deployment to other nations at a critical time. Instead, we expect that equipment obsolescence, coupled with the prohibition on new equipment, will lead licensees to gradually rely less on principal equipment provided by entities owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, bolstering national security without overly burdensome costs to comply with our rules.

As we note above, the *Second Report and Order's* prohibition on the use of third party services is subject to a narrow exemption for wet-segment repair and maintenance. Specifically, the *Second Report and Order* provides an exemption to the use of third party services where a third-party foreign adversary, covered list, or entity that can access the cable from a foreign adversary country provides repair and maintenance to the wet segment of submarine cables. In considering whether to allow this exemption, the Commission considered the relative dearth of specialized cable repair ships and the reality that problems on the submarine cable systems may occur outside the territorial waters of the United States. As the *Second Report and Order* discusses, many commenters recommended this exception. In particular, DHS and others contend that imposing additional restrictions on the use of available repair ships would be detrimental to the timely restoration of critical communications infrastructure. As such, we find that prohibiting the use of specialized foreign-affiliated repair ships owned by a foreign adversary, Covered List entity, or entity that can access the cable from a foreign adversary country would not be in the public interest and do not recommend doing so as an alternative to the rules that we adopt.

E. Justification Determination

1. Benefits Exceed Costs

We find that the changes being adopted in the *Second Report and Order* should generate substantial benefits to national security and the resiliency of critical communications infrastructure, and that these benefits far outweigh the moderate compliance costs. By adopting a comprehensive regulatory framework for SLTEs, implementing targeted routine conditions and certifications, and presumptively exempting qualifying applications from Executive Branch referral, the order strengthens oversight and mitigate foreign adversary risks while promoting faster deployment of submarine cables. The benefits of enhanced protection of U.S. communications networks, improved cybersecurity and physical security standards, and expedited approval of low-risk applications are substantial, but are difficult to quantify. In contrast, we estimate one-time costs of $28.5 million and annual costs of $10.7 million, which reflect measures to comply with licensing requirements, including costs associated with cybersecurity and compliance with routine conditions. The adopted actions are expected to have an annual effect on the economy of $100 million or more in benefits. Therefore, we find that the benefits of strengthening oversight and protecting critical communications networks significantly outweigh the costs.

TABLE OF BENEFITS AND COSTS

	Year	Present value over 5 years (3% discount)	Present value over 5 years (7% discount)
Benefits:			
Quantitative	N/A	N/A	N/A
Qualitative	The Commission views this item as economically significant based on the benefits, i.e., having benefits exceeding $100 million		
Costs ($millions)	2026	$39.2	$39.2
	2027	10.4	10.0
	2028	10.1	9.3
	2029	9.8	8.7

TABLE OF BENEFITS AND COSTS—Continued

	Year	Present value over 5 years (3% discount)	Present value over 5 years (7% discount)
	2030	9.5	8.2
	Total	79.0	75.4

2. Highest Net-Benefit Alternative

Based on the record and economic analysis, Staff find that Alternative B—SLTE Licensing and Targeted National Security Safeguards—offers the greatest net benefit among the three alternatives considered. This combination of rules to bolster national security with respect to our nation's submarine cable systems, coupled with targeted exemptions to limit burdens on licensees recognizes the need to take action to safeguard national security while foregoing actions where the incremental cost may outweigh the incremental benefit.

Severability

The rules adopted in this *Second Report and Order* promote the Commission's goal of expediting submarine cable deployment while protecting submarine cable infrastructure. Though complementary, each of the separate rules serves their own distinct and specific purpose to promote that goal. It is our intent that each of these rules adopted in this *Second Report and Order* shall be severable. If any of the rules are declared invalid or unenforceable for any reason, we find that the remaining portions of the regulatory framework continue to fulfill our goal of promoting faster and more efficient deployment of submarine cables while simultaneously protecting submarine cable infrastructure, and that any remaining rules not deemed invalid or unenforceable shall remain in effect and be enforced to the fullest extent permitted by law.

Procedural Matters

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 this *Second Report and Order* on small entities. The FRFA is set forth in Appendix B.

Paperwork Reduction Act. This *Second Report and Order* may contain new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501–3521. All such new or modified information collections 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 collections contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, 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 have assessed obtaining information from applicants and licensees about their submarine cable systems, and other related information important for, and find that the impact to small entities and businesses is difficult to ascertain but will not be disproportionate to the impact on larger businesses and entities.

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 the 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 disclosure 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.''

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 major under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will sent a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Availability of Documents. Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

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 *2025 Submarine Cable Further Notice,* released in August 2025. The Commission sought written public comment on the proposals in the *2025 Submarine Cable Further Notice,* including comment on the IFRA. No comments were filed addressing the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Rules

The *Second Report and Order* builds upon the rules adopted in the *2025 Submarine Cable First Report and Order* and represents another milestone in the Commission's ongoing effort to facilitate faster and more efficient deployment of submarine cables, while at the same time ensuring the security and integrity of this critical infrastructure. As we note in this *Second Report and Order,* submarine cables are the most consequential and critical communications infrastructure serving the United States. Submarine cables have been called ''invisible highways'' under the ocean and carry the vast majority of global internet and communications traffic. According to one report, the global surge in artificial intelligence (AI) is fueling ''an unprecedented wave of investment'' in submarine cables, and investment in new submarine cables is projected to reach $13 billion between 2025 and 2027, which is ''nearly double the amount spent in the previous three years. However, this growth in global connections comes with risks that motivate us to recalibrate our national security approach for submarine cable systems. The rules we adopt today will ensure that the United States remains the unrivaled world leader in critical and emerging technologies such as AI. This *Second Report and Order* adopts enhanced requirements for purposes of streamlining our licensing process while improving the Commission's oversight and protecting national security. These key objectives are aligned with Executive Order 14365, as ''United States leadership in Artificial Intelligence (AI) will promote United States national and economic security and dominance across many domains.''

In this *Second Report and Order,* we adopt rules that streamline our submarine cable licensing process while strengthening national security protections. First, we reaffirm our commitment to the security, integrity, and resilience of submarine cables by adopting a licensing requirement for entities that own and/or operate submarine line terminal equipment (SLTE). The Commission reinforces that ''[t]he SLTE is among the most important equipment associated with the submarine cable system.'' Second, we grant a blanket license to current and future SLTE owners and operators, with the exception of any entities seeking to own or operate new SLTE that would be subject to our foreign adversary and/or character presumptive disqualifying conditions. Third, we adopt a routine condition requiring licensees that own or operate SLTE and meet certain foreign adversary criteria to submit SLTE Foreign Adversary Annual Reports to the Commission. Fourth, we make targeted improvements to the submarine cable licensing rules by adopting national security-related routine conditions and certification requirements. Finally, we adopt an approach to expedite the deployment of submarine cables by presumptively excluding applications that meet certain national security standards from Commission referral to the Executive Branch agencies.

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

No specific comments on the IRFA were made on the record; however, commenters addressed the potential impact of the Commission's proposed rules in the *2025 Submarine Cable Further Notice* on small businesses or smaller players in specific industries. We summarize these comments here and analyze the impact of the Commission's adopted rules in section F of this FRFA.

A commenter raised concerns about small business impacts in response to potential Commission requirements to remove and replace certain equipment in the submarine cable system, and shared observations from previous ''rip and replace'' requirements in other settings. The commenter also raised concerns about potential impacts to small and medium-sized licensees that would need to determine the entities in their global supply chain that would be prohibited from being used in the ''submarine cable infrastructure.'' Other commenters raised concerns about the burden on SLTE owners and operators to become licensees or to submit reports; submarine cable licensees to submit certifications and reports; and of customized existing mitigation agreements instead of standardized mitigation.

The Commission responded to the concerns of commenters by not adopting some of the proposals from the *2025 Submarine Cable Further Notice* and implementing others in a modified, narrowed fashion. The Commission has considered the above-mentioned comments and has adopted alternatives, discussed in Section F below, to address some of the concerns raised.

C. 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.

D. 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. 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 *Second 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. 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	Percent small firms
Wired Telecommunications Carriers	517111	1,500 employees	3,403	3,027	88.95
Wireless Telecommunications Carriers (except Satellite).	517112	1,500 employees	1,184	1,081	91.30
All Other Telecommunications	517810	$40 million	1,673	1,007	60.19
Computer Infrastructure Providers, Data Processing, Web Hosting, and Related Services.	518210	$40 million	12,054	8,895	73.79

TABLE 2—TELECOMMUNICATIONS SERVICE PROVIDER DATA

2024 universal service monitoring report telecommunications service provider data (data as of December 2023)	SBA size standard (1,500 employees)		
Affected Entity	Total number FCC Form 499A filers	Small firms	Percent small entities
Competitive Local Exchange Carriers (CLECs)	3,729	3,576	95.90
Interexchange Carriers (IXCs)	113	95	84.07
Wireless Telecommunications Carriers (except Satellite)	585	498	85.13

E. 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.

This *Second Report and Order* requires SLTE owners and operators to comply with new routine conditions, including the filing of annual circuit capacity reports. Additionally, any licensee that owns or operates SLTE and meets certain foreign adversary criteria must file an annual SLTE Foreign Adversary Annual Report. The *Second Report and Order* also imposes several new routine conditions on cable landing licensees, such as prohibiting the use or addition of principal equipment on the submarine cable system that is produced by foreign adversary entities; prohibiting the use of third-party service providers to provide services relating to the submarine cable system that is a foreign adversary-controlled entity, an entity identified on the Covered List, or an entity that can access the submarine cable system from a foreign adversary country; and prohibiting licensees, the licensees' customers, or any further downstream customers from entering into a new arrangement or extending an existing arrangement, such as for IRUs or leases for capacity, on the licensed submarine cable systems with any entity identified on the Covered List. Further, the *Second Report and Order* sets out routine conditions for licensees that include reporting requirements, such as reporting foreign adversary ownership changes; requiring licensees to submit a certification acknowledging any new addition to the Department of Commerce's list of foreign adversaries and whether or not the licensee is owned by, controlled by, or subject to the jurisdiction or direction of the new foreign adversary; requiring a certification acknowledging a new addition of covered equipment or services to the Covered List and certify to its use of the newly-added covered equipment or services; requiring licensees to notify the Commission of changes to addresses or geographic coordinates; requiring licensees to notify the Commission within sixty (60) days prior to the date of license expiration if the licensee does not intend to seek renewal or extension of the license; and requiring licensees to notify the Commission within sixty (60) days prior to any retirement of the submarine cable system. Finally, licensees whose application was exempted from referral to the Executive Branch agencies will be required to comply with national security standards, including ongoing reporting requirements to the Commission—these requirements will apply only to those licensees that sought the exemption from referral and whose application was granted pursuant to the exemption process adopted in the *Second Report and Order.*

We estimate that the compliance cost for the new rules is no more than approximately $28.5 million in one-time costs and $10.7 million per year for licensees. This figure includes all additional expected costs that would be incurred as a result of the rules adopted in this *Second Report and Order,* including one-time and recurring costs that SLTE owners and operators are expected to incur as a result of becoming licensees as well as additional recurring costs that existing licensees would incur. We do not expect these costs will disproportionately affect small entities in the industry.

F. 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.''

The Commission has taken steps to significantly reduce compliance costs for licensees while advancing national security objectives. In response to commenter input, we reduced the regulatory burden on the industry by declining to adopt a requirement to remove and replace certain equipment from the submarine cable system. In the alternative, we impose a licensing requirement on SLTE owners and operators, but grant a blanket license, with certain exceptions, in part to minimize administrative burdens on regulated entities. We also defer consideration and adoption of the proposal to require SLTE owners and operators to comply with additional routine conditions for SLTE owners and operators and reserve the option to consider doing so after the benefit of the one-time information collection. We note that the SLTE Foreign Adversary Annual Report requirement is applicable to only a limited subset of licensees.

As noted above, commenters highlighted the need to tailor requirements to actual risks, particularly as they relate to prohibiting foreign adversary-affiliated third-party service providers for time-sensitive operations. In response, we adopt an exception for wet-segment repair and maintenance, addressing the primary operational concern and preventing significant cost increases. We also adopt a national security exemption process that will generate cost savings for qualifying applicants and impose no costs on other applicants by avoiding the expense and delay of Executive Branch referral of applications. Those applications that meet the national security standards adopted in the *Second Report and Order* will be exempt from referral to the Executive Branch agencies, which would result in cost-savings.

G. Report to Congress

The Commission will send a copy of the *Second 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 *Second Report and Order,* including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will publish a copy of the *Second Report and Order,* and this Final Regulatory Flexibility Analysis (or summaries thereof) in the **Federal Register**.

Ordering Clauses

It is ordered that, pursuant to Sections 1, 4(i), 4(j), 201–255, 303(r), 403, 413 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 201–255, 303(r), 403, 413, and the Cable Landing License Act of 1921, 47 U.S.C. 34–39, and Executive Order No. 10530, Section 5(a) (May 12, 1954) reprinted as amended in 3 U.S.C. 301, this Report and Order *is hereby adopted.*

It is further ordered that this *Second Report and Order shall be effective* 60 days after publication in the **Federal Register**, except that the amendments to §§ 1.40001, 1.70003, 1.70006, 1.70007(u), (w)(2), (y) through (ii), 1.70011, 1.70012, 1.70014, 1.70017, 1.70018, 1.70020, 1.70025, 1.70026, 1.70027, 1.70028, and 1.70029, which may contain new or substantively modified information collections, will not become effective until the Office of Management and Budget completes review of any information collections that the Office of International Affairs determines is required under the Paperwork Reduction Act. The Commission directs the Office of International Affairs to announce the effective date for §§ 1.40001, 1.70003, 1.70006, 1.70007(u), (w)(2), (y) through (ii), 1.70011, 1.70012, 1.70014, 1.70017, 1.70018, 1.70020, 1.70025, 1.70026, 1.70027, 1.70028, and 1.70029, by notice in the **Federal Register** and by subsequent public notice.

It is further ordered that the Office of the Managing Director, Performance Program Management, *shall send* a copy of this *Second 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 *Second Report and Order,* including the Final Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration (SBA) Office of Advocacy.

List of Subjects in 47 CFR Parts 0 and 1

Communications, Communications common carriers, Communications equipment, internet, Security measures, Reporting and recordkeeping requirements, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR parts 0 and 1 as follows:

PART 0—COMMISSION ORGANIZATION

■ 1. The authority citation for part 0 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 409, and 1754, unless otherwise noted.

■ 2. Amend § 0.351 by adding paragraph (a)(16) to read as follows:

§ 0.351 Authority delegated.

(a) * * *

(16) Authority is delegated to OIA, in consultation with the Public Safety and Homeland Security Bureau, the Committee Members as defined in § 1.70001(l), and other federal agencies, as needed, to adopt necessary policies and procedures to make determinations regarding submarine cable licensing and policy matters, including through clarifications, declaratory rulings, and further guidance.

* * * * *

PART 1—PRACTICE AND PROCEDURE

■ 3. 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.

Subpart CC—Review of Applications, Petitions, Other Filings, and Existing Authorizations or Licenses With Reportable Foreign Ownership By Executive Branch Agencies for National Security, Law Enforcement, Foreign Policy, and Trade Policy Concerns

■ 4. Delayed indefinitely, amend § 1.40001 by revising paragraph (a)(1) and adding paragraph (a)(2)(v):

§ 1.40001 Executive branch review of applications, petitions, other filings, and existing authorizations or licenses with reportable foreign ownership.

(a) * * *

(1) The Commission will generally refer to the Executive Branch agencies 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 Subpart FF and §§ 63.18 and 63.24 of this chapter, and 1.5000 through 1.5004.

(2) * * *

(v) Applications filed pursuant to § 1.70020 of this chapter where:

(A) The applicant(s) is a cable landing licensee of the submarine cable system for which the renewal or extension application is filed;

(B) The applicant(s) previously filed an application involving the same submarine cable system that was referred to and reviewed by the Executive Branch agencies within three years of the filing of the renewal or extension application. To the extent there are multiple licensees of the submarine cable system, all of the licensees must have jointly filed a previous application that was reviewed by the Executive Branch agencies within three years of the instant filing;

(C) There is a mitigation agreement on which the cable landing license is conditioned, and the applicant(s) certifies that it is in compliance and will continue to comply with the terms of the mitigation agreement;

(D) There are no new individuals or entities that hold ten percent or greater direct or indirect equity and/or voting interests, or a controlling interest, in any applicant(s) since that prior review by the Executive Branch agencies; and

(E) The applicant(s) is not owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), and certifies that it is not subject to the presumptive disqualifying conditions in §§ 1.70002(c) and

1.70004(a) and (b).

* * * * *

■ *5. Delayed indefinitely, further amend § 1.40001 by redesignating paragraphs (b)*through (d) as paragraphs (c) through (e), adding new paragraph (b), and revising newly redesignated paragraphs (c) through (e) to read as follows:

§ 1.40001 Executive branch review of applications, petitions, other filings, and existing authorizations or licenses with reportable foreign ownership.

* * * * *

(b) To presumptively qualify for exemption from referral to the Executive Branch agencies, an applicant, or in the case of an application jointly filed by multiple applicants, each joint applicant, must certify that it meets the national security standards set forth below in an application for a cable landing license or modification, assignment, transfer of control, or renewal or extension of a cable landing license:

(1) The applicant must be a licensee and certify that:

(i) It either has a cable landing license that was granted by the Commission after November 27, 2020 and is conditioned on compliance with a mitigation agreement or, starting in 2028, it was granted (within the previous five (5) years) a license that is conditioned on compliance with a mitigation agreement or was granted pursuant to the exemption process as described in § 1.40001(b);

(ii) There are no new individuals or entities that hold 10% or greater direct or indirect equity and/or voting interests, or a controlling interest, in the applicant since the most recent review by the Commission; and

(iii) It is in compliance with the terms of any existing mitigation agreement(s) on which any of its cable landing license(s) is conditioned.

(2) The applicant must certify that:

(i) No entity holding less than 5% direct interest in the submarine cable system is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(ii) The applicant has not entered into and will not enter into an agreement, formal or informal, with entities owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), to secure financing (such as business loans or bonds, debts, lines of credit, debt forgiveness, or in kind contributions or services) related to or affecting the submarine cable system; and

(iii) The applicant has no strategic partnerships nor has entered or will enter into mergers with entities owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), that might affect access to and/or the management or operation of the submarine cable system.

(3) The applicant must certify that:

(i) No senior official of the applicant or the applicant's parent company(ies) meets the definition of ''owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,'' as defined in § 1.70001(g), and

(ii) No senior official of the applicant or any of the applicant's parent company(ies) performs or will perform duties with respect to the submarine cable system from a foreign adversary country, as defined in § 1.70001(f).

(iii) For purposes of this paragraph (b)(3), the term ''senior official'' is defined as a board member or executive-level management, including an individual who performs the duties, or any of the duties, ordinarily performed by a president, vice president, secretary, treasurer, Chief Executive Officer, Chief Technical Officer, Chief Operations Officer, Chief Information Officer, and/or Chief Financial Officer, or other officer.

(iv) Individuals that perform duties indicative of executive-level management may be included for purposes of this certification, and the Commission may seek additional information from an applicant to verify its certification under this national security standard.

(4) The applicant must certify that it will prohibit its customers or any further downstream customers from entering into a new or an extension of an existing arrangement, such as for indefeasible rights of use (IRUs) or leases for capacity on the submarine cable, where such arrangement would give an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), the ability to install, own, or manage SLTE on the submarine cable.

(i) The applicant must also certify that it will adopt contractual provisions in the arrangements described in this paragraph (b)(4) that prohibit its customers or any further downstream customers from selling, leasing out, sharing, or swapping fiber, spectrum, or capacity to or with an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g).

(ii) [Reserved]

(5) The applicant must certify that it will:

(i) File with the Commission and the Committee Members, as the term is defined in § 1.70001(l) and used hereafter in this section, a list identifying all of its arrangements described in paragraph (b)(4) of this section and provide copies of all such arrangements within sixty (60) days of commencing service on the submarine cable, consistent with the requirements of § 1.70007(ii)(4), and

(ii) Continue filing the information in paragraph (b)(5)(i) and copies of all such arrangements with the Commission and the Committee Members as part of an annual report, consistent with the requirements of § 1.70007(ii)(4).

(6) The applicant must certify that the submarine cable system will not connect directly or via a branching unit with a submarine cable:

(i) That is owned or operated by an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), or

(ii) That lands in a foreign adversary country, as defined in § 1.70001(f).

(7) The applicant must certify that it has created and will implement and update an enhanced cybersecurity and physical security risk management plan.

(i) The applicant must affirm, as part of the cybersecurity and physical security risk management certification required under §§ 1.70005(m) and 1.70006(c), that such plan is structured in accordance with the National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF) (NIST CSF), and meets a set of established cybersecurity best practices, such as the standards and controls set forth in the Cybersecurity and Infrastructure Security Agency's (CISA) Cybersecurity Cross-Sector Performance Goals and Objectives (CISA CPGs), or the Center for internet Security's Critical Security Controls.

(ii) The applicant shall submit this plan to the Commission and the Committee Members at the time of filing the application. The cybersecurity and physical security risk management plans provided under this subsection shall be treated as presumptively confidential.

(8) The applicant must certify that it will:

(i) Report to the Commission and to the Committee Members in writing within seventy-two (72) hours if it learns of information that reasonably indicates unauthorized access to, or disruption or corruption of, a submarine cable system, its management servers, or any service, communications, or information being carried on a submarine cable system, or a significant attempt to gain unauthorized access to such system, service, communications, or information. This includes unauthorized access to, or disruption or corruption of, third-party service providers' (as defined in § 1.70001(d)) systems, SLTE owners' or operators' systems, or IRU holders' systems that could reasonably be expected to harm the physical or logical security of the submarine cable system. Reportable incidents include, but are not limited to, unauthorized physical or logical access to cable facilities, including but not limited to, the cable landing station space or any NOC, as defined in § 1.70001(n); unauthorized access to or disclosure of network management information; cable cuts; data compromise; or unauthorized system modification.

(ii) Submit to the Commission and Committee Members, within fifteen (15) days of learning of the incident a detailed written report describing in greater depth the incident identified in the initial report and its steps to remediate that incident.

(iii) Submit updates to the Commission and the Committee Members, as requested by the Commission, and continue providing supplementary information until the Commission's evaluation is complete.

(iv) For purposes of this § 1.40001, the term ''unauthorized'' is defined as in a manner without permission or that exceeds authorization. The term ''access'' is defined consistent with § 1.70001(i).

(9) The applicant must certify that it will implement heightened physical and logical security controls. For purposes of this section, the terms ''domestic communications,'' ''principal equipment,'' ''Network Operations Center'' (or ''NOC''), ''sensitive U.S. records'' are defined consistent with § 1.70001(j), (m), (n), (o). Information provided pursuant to this subsection shall be treated as presumptively confidential. Specifically, the applicant must certify that it will implement heightened physical and logical security controls that:

(i) Meet appropriate physical security standards consistent with the Commission's rules in this paragraph (b)(9, such as taking all practicable measures to physically secure the submarine cable system, including the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and Submarine Line Terminal Equipment (SLTEs);

(ii) Not provide any individual or entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), and/or an entity that is identified on the Covered List that the Commission maintains on its website pursuant to the Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act), 47 U.S.C. 1601 through 1609, with physical and/or logical access to the submarine cable system, including but not limited to the cable landing station(s), NOC(s), beach manhole(s) and related sites, principal equipment, and SLTEs;

(iii) Not provide any individual or entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), and/or an entity that is identified on the Covered List with access to sensitive U.S. records and domestic communications;

(iv) Not provide any individual or entity located in a foreign adversary country, as defined in § 1.70001(f), with physical or logical access to the submarine cable system, sensitive U.S. records, or domestic communications;

(v) Adopt personnel screening and vetting measures for individuals whose position could involve securing principal equipment and/or physical and/or logical access to the submarine cable system (including but not limited to the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and SLTEs), sensitive U.S. records, and/or domestic communications;

(vi) Adopt a written policy that will include, at a minimum, background investigations, public criminal records checks, or other analogous means to ascertain an individual's trustworthiness, subject to applicable law, conducted at least every five (5) years;

(vii) Ensure adherence to these requirements;

(viii) Report to the Commission and Committee Members the identities of all foreign individuals with physical and/or logical access to the submarine cable system (including but not limited to the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and SLTEs), sensitive U.S. records, and/or domestic communications, or who secure principal equipment, within thirty (30) days of the submarine cable commencing service; and report any changes on a quarterly basis, including identifying new personnel with access and personnel who no longer have access;

(ix) Provide the Commission and the Committee Members annually in the report described in paragraph (b)(10)(iii) of this section, with the submission of the names and information on: security officers, foreign participation, security policies, owners and officers, operational requirements, locations of access, principal equipment, third-party service providers (as defined in § 1.70001(d)), foreign persons or entities with access, SLTE owners and controllers, as well as any such information requested by the Commission and/or the Committee Member from the SLTE owners and operators. Authority is delegated to the Office of International Affairs, in coordination with the Public Safety and Homeland Security Bureau and the Committee Members as needed, to determine the information to be submitted and provide further guidance;

(x) Provide advance notification of thirty (30) days to the Commission and the Committee Members and obtain the majority of the Committee Members' non-objection in writing prior to the testing, adding, or use of any sensing capability (such as distributed acoustic, thermal, seismic, or other sensing) on the submarine cable system by any person (*e.g.,* licensee, other third party, service provider, principal equipment provider).

(A) Activities requiring advanced notice include but are not limited to:

(*1*) The physical installation of specialized sensing hardware (*e.g.,* Distributed Acoustic Sensing (DAS) or Distributed Temperature or Thermal Sensing (DTS) interrogators) at cable landing stations or specific cable segments, and wavelengths (if utilizing in-band Dense Wavelength Division Multiplexing (DWDM) sensing);

(*2*) The activation or testing of integrated sensing capabilities within DWDM or Reconfigurable Optical Add-Drop Multiplexer (ROADM) systems, including State of Polarization (SOP) monitoring intended for environmental or security surveillance;

(*3*) The deployment of inline sensors, including Scientific Monitoring and Reliable Telecommunications (SMART) repeaters;

(*4*) Software or firmware upgrades that materially alter or expand the data collection capabilities of existing sensing equipment.

(B) The advanced notice submitted by the entity or person must include, at a minimum, the following information:

(*1*) The specific type of sensing technology being deployed or tested (*e.g.,* DAS, DTS, Distributed Strain Sensing (DSS), SOP, SMART), including the make and model of primary hardware (*e.g.,* interrogator units);

(*2*) The primary purpose of the sensing activity (*e.g.,* cable health monitoring, seismic research, vessel tracking, third-party commercial ''Sensing as a Service'');

(*3*) The specific cable segments, landing stations, and wavelengths (if utilizing in-band DWDM sensing) involved in the operation;

(*4*) A description of the physical phenomena being measured (*e.g.,* acoustic vibrations, temperature, strain, polarization changes) and the expected resolution or sensitivity of the data; and

(*5*) Whether the activity is a temporary test (including start and end dates) or a permanent integration into the network architecture; and

(xi) Provide updates to its submarine cable system information to the Commission and the Committee Members annually and within thirty (30) days of the change, to include but not limited to:

(A) A network and fiber map or diagram that includes physical and logical topology, including any terrestrial backhaul from the cable landing stations to the SLTE locations or other facilities housing principal equipment of the submarine cable;

(B) Network and telecommunications architecture descriptions and associated descriptions of interconnection points and controlled gateways to the principal equipment; and

(C) Descriptions of interfaces and connections to the submarine cable system for service offload, disaster recovery, or administrative functions.

(10) The applicant must certify that it consents to reporting to, and ongoing monitoring and inspection by, the Commission and the Committee Members throughout the term of the cable landing license to assess its compliance with all applicable routine conditions and national security standards. The applicant must also certify that it consents to:

(i) Monitoring and inspection of the applicant's facilities where principal equipment, as defined in § 1.70001(m), is located or that support the operation of the submarine cable system's connections to or from the United States, including but not limited to the NOC, as defined in § 1.70001(n), by the Commission and/or any other relevant U.S. government agencies, including the Committee Members;

(ii) Allowing the Commission and/or the Committee Members to meet with the applicant's personnel and conduct on-site interviews and to request additional information as necessary, throughout the term of the cable landing license, to verify the implementation of and compliance with all applicable routine conditions and national security standards;

(iii) Providing the Commission and Committee Members with an annual report, and upon request by the Commission, of its compliance with all applicable routine conditions and national security standards throughout the term of the license. The report shall include updated information and identify any changes made in the reporting period to:

(A) The names and contact information of the points of contact (POCs) and security and compliance officers;

(B) Ownership and foreign participation information;

(C) A list of all officers;

(D) The locations of access for the submarine cable;

(E) All third-party service providers, principal equipment, as defined in § 1.70001(m), and foreign persons or entities with access;

(F) The names and contact information of the SLTE owners and/or operators on the submarine cable, as well as any information requested by the Commission and/or the Committee Members from the SLTE owners and/or operators;

(G) All security policies;

(H) Any operational changes and/or expansion plans for the submarine cable;

(I) A summary of any events that occurred during the reporting period that will or reasonably could impact the effectiveness of or compliance with the national security standards; and

(J) A certification that the licensee remains in compliance with all applicable routine conditions and national security standards or, if there were any known acts of noncompliance with the routine conditions and national security standards, a summary of such acts—whether inadvertent or intentional, with a discussion of what steps have been or will be taken to prevent such acts from occurring in the future.

(K) The annual report shall be submitted each year in the relevant license file number(s) in ICFS, or any successor system. A copy of the annual report shall be filed directly with the Committee Members;

(iv) Allowing the Commission and/or the Committee Members to periodically, and no more than biennially, request a third-party audit or assessment of compliance with all applicable routine conditions and national security standards;

(v) Providing the Commission and the Committee Members with the name, title, business address, email address, and telephone number of a designated Security and Compliance Officer, who serves or will serve as the primary point of contact for license and compliance matters. This officer will be responsible for implementing and maintaining the applicant's cybersecurity and physical security risk management plans and ensuring adherence to the Commission's security and compliance requirements for the cable system. The application shall include a summary of the officer's qualifications relevant to cybersecurity, physical security, and regulatory compliance.

(A) The Security and Compliance Officer shall be a U.S. citizen who is eligible for a U.S. government security clearance at the ''Secret'' level or higher. The Security and Compliance Officer will possess the appropriate senior-level corporate authority, reporting lines, independence, technical skills, and resources required to assess the cybersecurity, physical security, and logical security of submarine cable systems and to ensure compliance with the applicable Commission rules and regulations.

(B) The applicant shall notify the Commission and the Committee within ten (10) days of any change in the designated officer or the officer's contact information. The applicant shall agree to work with the Commission and Committee Members to resolve any national security or law enforcement concerns that the Commission or

Committee may raise with respect to the Security and Compliance Officer; and

(vi) Notifying the Commission and the Committee Members within seventy-two (72) hours of any violation of applicable routine conditions or national security standards, including a description of the violation, an explanation for why it occurred, and a description of any steps taken to remediate the violation.

(c) The Commission will consider any recommendations from the Executive Branch agencies on pending application(s) for an international section 214 authorization or cable landing license(s) or petition(s) for foreign ownership ruling(s) pursuant to §§ 1.5000 through 1.5004 or on existing authorizations or licenses that may affect national security, law enforcement, foreign policy, and/or trade policy as part of its public interest analysis. The Commission will evaluate concerns raised by the Executive Branch agencies and will make an independent decision concerning the pending matter.

(d) In any such referral pursuant to paragraph (a) of this section, or when receiving information pursuant to paragraph (b) of this section or when considering any recommendations pursuant to paragraph (c) of this section, the Commission may disclose to relevant Executive Branch agencies, subject to the provisions of 44 U.S.C. 3510, any information submitted by an applicant, petitioner, licensee, or authorization holder in confidence pursuant to § 0.457 or § 0.459 of this chapter. Notwithstanding the provisions of § 0.442 of this chapter, notice will be provided at the time of disclosure.

(e) As used in this subpart, ''reportable foreign ownership'' for applications filed pursuant to Subpart FF and §§ 63.18 and 63.24 of this chapter means any foreign owner of the applicant that must be disclosed in the application pursuant to § 63.18(h); and for petitions filed pursuant to §§ 1.5000 through 1.5004, ''reportable foreign ownership'' means foreign disclosable interest holders pursuant to § 1.5001(e) and (f).

* * * * *

Subpart FF—Cable Landing Licenses

■ 6. Amend § 1.70001 by adding paragraphs (i) through (p) to read as follows:

§ 1.70001 Definitions.

* * * * *

(i) *Access.* The term ''Access'' as used in this subpart means to, or the right or ability to, enter a location or physical space; or physically or logically undertake any of the following actions with respect to the submarine cable system:

(1) Read, divert, or otherwise obtain non-public information or technology from or about software, hardware, a system, or a network;

(2) Add, edit, or alter information or technology stored on or by software, hardware, a system, or a network; and

(3) Alter the physical or logical state of software, hardware, a system, or a network (*e.g.,* turning it on or off, changing configuration, removing or adding components or connections).

(j) *Domestic communications.* The term ''Domestic Communications'' as used in this subpart means:

(1) Wire Communications, as described in 18 U.S.C. 2510(1), or Electronic Communications (whether stored or not), as described in 18 U.S.C. 2510(12), from one U.S. location to another U.S. location, and

(2) The U.S. portion of a Wire Communication or Electronic Communication (whether stored or not) that originates or terminates in the United States or its territories.

(k) *Domestic communications infrastructure.* The term ''Domestic Communications Infrastructure'' or ''DCI'' as used in this subpart means:

(1) Any portion of a submarine cable system that is physically located in the United States or its territories, up to and including the SLTE, including (if any) transmission, switching, bridging, and routing equipment, and any associated software (with the exception of commercial-off-the-shelf (COTS) software used for common business functions) used by or on behalf of the licensee(s) to provide, process, direct, control, supervise, or manage Domestic Communications; and

(2) Any ''Network Operations Center'' or ''NOC,'' as defined in paragraph (n) of this section.

(l) *Committee members.* The term ''Committee Members'' as used in this subpart means the Attorney General, the Secretary of Defense, and the Secretary of Homeland Security, or their designees to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) if such designation has been made, under Executive Order 13913, dated April 4, 2020 The term ''Committee Members'' shall also mean, in the event of a subsequent Executive Order or statute altering the Members, those therein provided.

(m) *Principal equipment.* The term ''principal equipment'' as used in this subpart means the primary electronic components of the submarine cable system that supports it end-to-end and any other such equipment, whether physical or providing logic-bearing service, that performs the functions described in this definition that licensees of a submarine cable system may use in the normal course of business. This includes, but is not limited to, the following paragraphs (m)(1) through (16). Authority is delegated to the Office of International Affairs (OIA), in consultation with the Public Safety and Homeland Security Bureau (PSHSB) and other federal agencies as needed, to adopt necessary policies and procedures to make determinations on specific categories of such equipment, including through clarifications, declaratory rulings, and further guidance.

(1) Domestic Communications Infrastructure, as defined in paragraph (k) of this section;

(2) Wet Infrastructure, as defined in paragraph (p) of this section;

(3) Servers, routers, switches, repeaters,

(4) SLTE;

(5) System supervisory equipment (SSE);

(6) Signal modulators and amplifiers;

(7) Power feed equipment (PFE);

(8) Tilt and shape equalizer units (TEQ/SEQ);

(9) Optical distribution frames (ODF);

(10) Branching units (BU);

(11) Optical splitters (OS);

(12) Switches;

(13) Multiplexers;

(14) Optical carrier network (OCx) equipment, as applicable;

(15) Fiber optic cables; and

(16) All equipment (including hardware, software, and firmware) and Network Management Systems used to support, operate, manage, monitor, secure, maintain, analyze, administer, and provision the cable system.

(n) *Network operations center.* The term ''Network Operations Center'' (or ''NOC'') as used in this subpart means the physical and logical locations, facilities, service providers, and personnel performing network management, supporting, operating, managing, monitoring, securing, maintaining, analyzing, administering, and provisioning the submarine cable system.

(o) *Sensitive U.S. records.* The term ''sensitive U.S. records'' as used in this subpart means an applicant's end-user billing records, Subscriber Information, personally identifiable information (PII), Sensitive Personal Data as described in 31 CFR 800.241, internet protocol detail record (IPDRs), and information subject to disclosure to a U.S. federal or state governmental entity under the procedures set forth in 18 U.S.C. 2703(c) and (d) and 18 U.S.C. 2709, each as with respect to the submarine cable system.

(p) *Wet infrastructure.* The term ''Wet Infrastructure'' as used in this subpart means hardware components installed and residing on the wet link portion of the submarine cable system, including fiber optic cables, repeaters, branching units (BUs), and routers (if any). Wet Infrastructure includes all the components used to define the topology of the wet link portion of the submarine cable system.

■ 7. Amend § 1.70002 by adding paragraph (e) to read as follows:

§ 1.70002 General requirements.

* * * * *

(e) The Commission may disclose to the Committee, Committee Members, and relevant Federal Government agencies information that is submitted pursuant to § 1.40001 and Subpart FF of this chapter. Where such information has been submitted in confidence pursuant to § 0.457 or § 0.459 of this chapter, such information may be shared subject to the provisions of § 0.442 of this chapter with the Committee and with relevant Federal Government agencies for targeted national security purposes where sharing of the information is consistent with an agency's function to protect U.S. national security and/or to protect the security, integrity, and resilience of submarine cable infrastructure. Notwithstanding the provisions of § 0.442(d)(1) of this chapter, notice will be provided at the time of disclosure.

■ 8. Delayed indefinitely, revise § 1.70003 to read as follows:

§ 1.70003 Applicant/licensee requirements.

(a) *Applicants/licensees.* Except as otherwise required by the Commission, the following entities, at a minimum, shall be applicants for, and licensees on, a cable landing license:

(1) Any entity that controls a cable landing station in the United States; and

(2) All other entities owning or controlling a five percent (5%) or greater interest in the cable system and using the U.S. points of the cable system.

(b) *Blanket license.* Any entity that owns and/or operates or would own and/or operate Submarine Line Terminal Equipment (SLTE) on a submarine cable landing in the United States after [effective date of amendatory instruction 8], shall be a licensee on a cable landing license. Except as otherwise specified in paragraph (c) of this section, a blanket license shall be granted to any such entity that is not required to be an applicant for and licensee on the cable landing license under paragraphs (a)(1) or (a)(2) of this section or is not otherwise a licensee on the cable landing license prior to [effective date of amendatory instruction 8].

(1) The blanket license is subject to the routine conditions in § 1.70007(a)(1) through (3), (d), (m), (n), (gg), and (hh).

(2) [Reserved]

(c) *Exclusion from blanket license.* The blanket license set forth in paragraph (b) of this section excludes any entity seeking to own or operate new SLTE on any submarine cable landing in the United States, after [effective date of amendatory instruction 8], that is subject to the character presumptive disqualifying condition in § 1.70002(c) and/or subject to the foreign adversary presumptive disqualifying condition in § 1.70004(a).

(1) An entity excluded from the blanket license pursuant to paragraph (c) of this section may file an application seeking to own and/or operate new SLTE on a submarine cable landing in the United States. An application filed by such entity will be subject to the presumptive disqualifying conditions in §§ 1.70002(c) and/or 1.70004(a), which the Commission reserves the discretion to apply on a cable-by-cable basis where warranted.

(2) Authority is delegated to the Office of International Affairs (OIA) to develop, in consultation with the Committee, application forms or provide alternative instructions and guidelines as necessary with regard to those entities subject to paragraph (c) of this section that seek to own and/or operate new SLTE on a submarine cable landing in the United States. OIA shall notify the Committee of any applications submitted pursuant to this paragraph (c)(2).

■ 9. Delayed indefinitely, amend § 1.70006 by adding paragraphs (e) through (k) to read as follows:

§ 1.70006 Certifications.

* * * * *

(e) That no principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), will be used or added, whether by the licensee or any other entity, on the submarine cable system.

(f) That the applicant will not use any third-party service provider, as defined in § 1.70001(d), to provide services relating to the submarine cable system, that is:

(1) An entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(2) An entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609; and/or

(3) An entity that can access the submarine cable system from a foreign adversary country, as defined in § 1.70001(f).

(4) This paragraph (f) shall not apply to a licensee that is an entity identified on the Covered List. This paragraph (f) shall not apply where any entity identified in paragraphs (f)(1) through (3) of this section is involved in providing repair and maintenance to the wet segment of a Commission-licensed submarine cable.

(g) That the applicant will not enter into a new arrangement or extend an existing arrangement, such as for Indefeasible Rights of Use (IRUs) or leases for capacity on the submarine cable system, with an entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609), where such arrangement would give such entity (*i.e.,* the IRU holder or lessee) the ability to install, own, or manage Submarine Line Terminal Equipment (SLTE) on a submarine cable landing in the United States. The applicant shall also certify that, if a license is granted, it will prohibit its customers and any further downstream customers from entering into such arrangements.

(h) That the applicant will comply with the requirements of § 1.80003(l)(1)(i) of this chapter.

(i) That the applicant will comply with the requirements of § 1.80003(l)(1)(ii) of this chapter.

(j) That the applicant will submit a certification, within sixty (60) days of the release of a public notice by the Commission or the Public Safety and Homeland Security Bureau announcing any new addition of equipment or services to the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, that:

(1) Acknowledges the addition to the Covered List, irrespective of whether the entity uses such equipment or services in its submarine cable system, and

(2) Includes a brief description of how and the purpose for which such equipment or services are used on the submarine cable system, if applicable.

(k) That the applicant will notify the Commission of any change of address or geographic coordinates concerning information provided under § 1.70005(e)(7) and (f), within thirty (30) days of the change, including a specific description of the updated information that includes an updated map and geographic data in generally accepted GIS formats or other formats.

■ 10. Amend § 1.70007 by revising paragraphs (u) and (w) to read as follows:

§ 1.70007 Routine conditions.

* * * * *

(u) No licensee shall add to its submarine cable system(s) under its respective license(s) equipment or services identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609; except, this part of paragraph (u) shall not apply to a licensee that is identified on the Covered List whose cable landing license was or is granted prior to November 26, 2025.

(1) A licensee whose application for a cable landing license is filed and granted after November 26, 2025, shall not use equipment or services identified on the Covered List on its submarine cable system under the license.

(i) A licensee whose modification application to add a new segment is filed and granted after November 26, 2025, shall not use equipment or services identified on the Covered List on the new segment and the new landing point.

(ii) [Reserved]

(2) [Reserved]

(i) [Reserved]

(ii) [Reserved]

* * * * *

(w) The licensee shall not:

(1) Enter into a new or extension of an existing arrangement for Indefeasible Rights of Use (IRUs) or leases for capacity on submarine cable systems landing in the United States, where such arrangement for IRUs or lease for capacity would give an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), the ability to install, own, or manage SLTE on a submarine cable landing in the United States, unless so authorized by the Commission.

(i) A licensee may petition the Commission for waiver of the condition; however, any waiver of the condition would be granted only to the extent the licensee demonstrates by clear and convincing evidence that a new or extension of an existing arrangement for IRUs or lease for capacity subject to this subpart would serve the public interest and would present no risks to national security or that the national security benefits of granting the waiver would substantially outweigh any risks.

(ii) [Reserved]

(2) [Reserved]

* * * * *

■ 11. Delayed indefinitely, further amend § 1.70007 by revising the end of paragraph (u) introductory text and by adding paragraphs (u)(2), (w)(2), and (y) through (ii) to read as follows:

§ 1.70007 Routine conditions.

* * * * *

(u) * * * No principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), shall be added, whether by the licensee or any other entity, to a Commission-licensed submarine cable system.

* * * * *

(2) A licensee whose application for a cable landing license is filed and granted after [effective date of the amendatory instruction 11], shall ensure that no principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), is used or added, whether by the licensee or any other entity, on its licensed submarine cable system.

(i) A licensee whose modification application to add a new segment is filed and granted after [effective date of the amendatory instruction 11], shall ensure that no principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), is used on or added to the new segment(s) and/or landing station(s) of the submarine cable system, whether by the licensee or any other entity.

(ii) [Reserved]

* * * * *

(w) * * *

(2) Enter into a new arrangement or extend an existing arrangement, such as for IRUs or leases for capacity on the licensed submarine cable system, with an entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, where such arrangement would give such entity (*i.e.,* the IRU holder or lessee) the ability to install, own, or manage SLTE on a submarine cable landing in the United States. The licensee shall prohibit its customers and any further downstream customers from entering into such arrangements.

* * * * *

(y) The licensee shall notify the Commission of any change of address or geographic coordinates concerning information provided under § 1.70005(e)(7) and (f), within thirty (30) days of the change. The licensee must submit a specific description of the updated information, including an updated map and geographic data in generally accepted GIS formats or other formats. Authority is delegated to the Office of International Affairs, in coordination with the Office of Economics and Analytics, to determine the specific file formats and data fields which will be collected and to ensure standardization of the information requested from the licensee.

(z) The licensee must notify the Commission, within sixty (60) days prior to the date of the expiration of the cable landing license, if the licensee does not intend to seek renewal or extension of the license. The notification shall be filed under the relevant license file number in the Commission's International Communications Filing System (ICFS), or any successor system. This requirement will be met if a licensee submits an application to renew or extend the license or requests Special Temporary Authority to continue operating the submarine cable system within or earlier than sixty (60) days prior to the date of license expiration.

(aa) The licensee must notify the Commission, within sixty (60) days prior to any retirement of its submarine cable system, of the planned retirement of the submarine cable system. The notification shall be filed under the relevant license file number in the Commission's International Communications Filing System (ICFS), or any successor system.

(bb) The licensee shall comply with the requirements of § 1.80003(l)(1)(i) of this chapter.

(cc) The licensee shall comply with the requirements of § 1.80003(l)(1)(ii) of this chapter.

(dd) The licensee must submit a certification, within sixty (60) days of the release of a public notice by the Commission or the Public Safety and Homeland Security Bureau announcing any new addition of equipment or services to the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, that:

(1) Acknowledges the addition to the Covered List, irrespective of whether the entity uses such equipment or services in its submarine cable system, whether or not the licensee uses such equipment or services in its submarine cable system, and

(2) Includes a brief description of how and the purpose for which such equipment or services are used on the submarine cable system, if applicable.

(ee) No licensee shall enter into a new or extension of an existing arrangement with any third-party service provider for the provision of services relating to the submarine cable system that is identified in paragraphs (ee)(1)(i) through (iii) of this section, except as otherwise specified in paragraph (ee)(1)(iv).

(1) A licensee whose application for a cable landing license is filed and granted after [effective date of amendatory instruction 11] shall not use a third-party service provider, as defined in § 1.70001(d), to provide services relating to submarine cable, that is identified in paragraphs (ee)(1)(i) through (iii) of this section, except as otherwise specified in paragraph (ee)(1)(iv).

(i) An entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(ii) An entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609; and/or

(iii) An entity that can access the submarine cable system from a foreign adversary country, as defined in § 1.70001(f).

(iv) This paragraph (ee) shall not apply to a licensee that is an entity identified on the Covered List. This paragraph (ee) shall not apply where any entity described in paragraphs (ee)(1)(i) through (iii) of this section is involved in providing repair and maintenance to the wet segment of a Commission-licensed submarine cable.

(2) [Reserved]

(ff) Within thirty (30) days of initiating a service by a third-party service provider that is identified in § 1.70007(ee)(1)(i) through (iii) for the repair and maintenance of the wet segment of the licensed submarine cable, the licensee must file a letter certifying as to the information in paragraphs (ff)(1) through (9) of this section. The letter must be signed by an officer of the licensee and may be filed on a confidential basis. The licensee shall file the letter under the relevant license file number in the Commission's International Communications Filing System (ICFS), or any successor system.

(1) The name and address of the third-party service provider and link to the company website, if available;

(2) The name of the licensed cable system and the segment for which the service was provided;

(3) Identify the location where the service was provided, including if the service was provided at sea or from a certain country or if service was remotely provided;

(4) The start and end date of the repair and/or maintenance service or estimated end date and a description of the service provided, including whether the service was due to an emergency or routine maintenance;

(5) Whether the third-party service provider is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), is an entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, and/or is an entity that can access the submarine cable from a foreign adversary country, as defined in § 1.70001(f);

(6) The country of organization of the third-party service provider;

(7) Identify the foreign adversary country, as defined in § 1.70001(f), from where the entity can access the submarine cable, if applicable;

(8) Whether the ship or vessel was produced in a foreign adversary country, as defined in § 1.70001(f); and

(9) Whether the crew of the ship or vessel at the time that the service was provided consisted of any national of a foreign adversary country, as defined in § 1.70001(f), and the number of crew.

(gg) A licensee subject to § 1.70003 and criteria under § 1.70018 shall submit an SLTE Foreign Adversary Annual Report every year consistent with the requirements under § 1.70018.

(hh) A licensee subject to § 1.70003(b) must create, implement, and update a cybersecurity and physical security risk management plan applicable to its SLTE operations. The cybersecurity and physical security risk management plan shall meet basic requirements consistent with paragraphs (hh)(1) through (3) of this section.

(1) The plan must describe how the entity takes or will take reasonable measures to employ its organizational resources and processes to ensure the confidentiality, integrity, and availability of its systems and services that could affect its provision of communications services through the SLTE portion of the submarine cable system;

(2) The plan must identify the cyber risks that the entity faces, the controls it uses or plans to use to mitigate those risks, and how it ensures that these controls are applied or will be applied effectively to its operations; and

(3) The plan must address both logical and physical access risks, as well as supply chain risks.

(4) The licensee shall submit cybersecurity and physical security risk management plans to the Commission upon request. The Office of International Affairs, in coordination with the Public Safety and Homeland Security Bureau, may request, at their discretion, submission of such cybersecurity and physical security risk management plans and evaluate them for compliance with paragraph (hh) of this section. The cybersecurity and physical security risk management plans provided under this paragraph (hh) shall be treated as presumptively confidential.

(ii) A licensee whose application was exempted from referral to the Executive Branch agencies pursuant to § 1.40001(b), shall comply with the national security standards, as set forth in paragraphs (ii)(1) through (9) of this section, upon which the cable landing license is conditioned. A licensee's failure to comply with these national security standards or resolve compliance concerns shall constitute grounds for revocation and/or termination of the cable landing license.

(1) The licensee shall ensure that:

(i) No entity holding less than 5% direct interest in the submarine cable system is owned by, controlled, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(ii) The licensee has not entered into and will not enter into an agreement, formal or informal, with entities owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), to secure financing (such as business loans or bonds, debts, lines of credit, debt forgiveness, or in kind contributions or services) related to or affecting the submarine cable system; and

(iii) The licensee has no strategic partnerships nor has entered or will enter into mergers with entities owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), that might affect access to and/or the management or operation of the submarine cable system.

(2) The licensee shall ensure that:

(i) No senior official of the licensee or the licensee's parent company(ies) meets the definition of ''owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,'' as defined in § 1.70001(g), and

(ii) No senior official of the licensee or any of the licensee's parent company(ies) performs or will perform duties with respect to the submarine cable system from a foreign adversary country, as defined in § 1.70001(f).

(iii) For purposes of complying with this paragraph (ii)(2), the licensee shall rely on the definition and terms set forth in § 1.40001(b)(3).

(3) The licensee shall ensure that it will prohibit its customers or any further downstream customers from entering into a new or extension of an existing arrangement, such as for IRUs or leases for capacity on the submarine cable, where such arrangement would give an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), the ability to install, own, or manage SLTE on the submarine cable.

(i) To meet this national security standard, the licensee shall adopt contractual provisions in the arrangements described in this paragraph (ii)(3) that prohibit its customers or any further downstream customers from selling, leasing out, sharing, or swapping fiber, spectrum, or capacity to or with an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g).

(ii) [Reserved]

(4) The licensee shall:

(i) File with the Commission and the Committee Members, as the term is defined in § 1.70001(l) and used hereafter in this section, a list identifying all of its arrangements described in paragraph (iii)(3) of this section, including the legal name, Employer Identification Number (EIN) (if available), website, and the physical address of the headquarters of each contracting party and the type and duration of each arrangement, and provide copies of all such arrangements within sixty (60) days of commencing service on the submarine cable. The licensee must also identify in this filing whether or not each contracting entity is ''owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary,'' as defined in § 1.70001(g), and whether or not each arrangement gives any such entity the ability to install, own, or manage SLTE on a submarine cable landing in the United States.

(ii) Continue filing the information in paragraph (ii)(4)(i) and copies of all such arrangements with the Commission and the Committee Members as part of an annual report required under paragraph (ii)(9)(iii) of this section. The annual report must also identify any such arrangements that ended as of the licensee's most recent annual report and identify which arrangements are new as of the most recent report.

(iii) The information provided under this section shall be treated as presumptively confidential.

(iv) Authority is delegated to OIA to request, at its discretion, submission of any arrangements subject to paragraph (ii)(4) of this section by the licensee(s) and to evaluate them for compliance with the national security standards in this § 1.70007(ii).

(5) The licensee shall ensure that the submarine cable system will not connect directly or via a branching unit with a submarine cable:

(i) That is owned or operated by an entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), or

(ii) That lands in a foreign adversary country, as defined in § 1.70001(f).

(6) The licensee shall ensure that it has created and will implement and update an enhanced cybersecurity and physical security risk management plan consistent with the requirements set out in § 1.40001(b)(7).

(i) OIA, in consultation with the Public Safety and Homeland Security Bureau (PSHSB), may require the licensee, upon request, to submit the cybersecurity and physical security risk management plan to the Commission and Committee Members to assess whether the licensee is in compliance with the national security standard. The cybersecurity and physical security risk management plans provided under this subsection shall be treated as presumptively confidential.

(ii) [Reserved]

(7) The licensee shall ensure that it will:

(i) Report to the Commission and to the Committee Members in writing within seventy-two (72) hours if it learns of information that reasonably indicates unauthorized access to, or disruption or corruption of, a submarine cable system, its management servers, or any service, communications, or information being carried on a submarine cable system, or a significant attempt to gain unauthorized access to such system, service, communications, or information being carried on a submarine cable system, or a significant attempt to gain unauthorized access to such system, service, communications, or information. This includes unauthorized access to, or disruption or corruption of, third-party service providers' (as defined in § 1.70001(d)) systems, SLTE owners' or operators' systems, or IRU holders' systems that could reasonably be expected to harm the physical or logical security of the licensee's submarine cable system. Reportable incidents include, but are not limited to, unauthorized physical or logical access to cable facilities, including but not limited to, the cable landing station space or any NOC, as defined in § 1.70001(n); unauthorized access to or disclosure of network management information; cable cuts; data compromise; or unauthorized system modification.

(ii) Submit to the Commission and Committee Members within fifteen (15) days of learning of the incident a detailed written report describing in greater depth the incident identified in the initial report and its steps to remediate that incident.

(iii) Submit updates to the Commission and the Committee Members, as requested by the Commission, and continue providing supplementary information until the Commission's evaluation is complete.

(iv) Authority is delegated to the Public Safety and Homeland Security Bureau to consult with the Committee Members to determine how licensees will submit the required incident reports, including the reporting submission and review platform and the required reporting fields, and to seek comment and adopt rules relating to such reporting for the purpose of implementing the Commission's requirement.

(v) For purposes of this paragraph (ii)(7), the term ''unauthorized'' is defined as in a manner without permission or that exceeds authorization. The term ''access'' is defined consistent with § 1.70001(i).

(8) The licensee shall implement heightened physical and logical security controls. For purposes of this paragraph (ii)(8), the terms ''domestic communications,'' ''principal equipment,'' ''Network Operations Center'' (or ''NOC''), ''sensitive U.S. records'' are defined consistent with § 1.70001(j), (m), (n), (o). Information provided pursuant to this subsection shall be treated as presumptively confidential. Specifically, the licensee

shall implement heightened physical and logical security controls that:

(i) Meet appropriate physical security standards consistent with the Commission's rules in this paragraph (ii)(8), such as taking all practicable measures to physically secure the submarine cable system, including the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and SLTEs;

(ii) Not provide any individual or entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), and/or an entity that is identified on the Covered List, that the Commission maintains on its website pursuant to the Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act), 47 U.S.C. 1601 through 1609, with physical and/or logical access to the submarine cable system, including but not limited to the cable landing station(s), NOC(s), beach manhole(s) and related sites, principal equipment, and SLTEs;

(iii) Not provide any individual or entity that is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), and/or an entity that is identified on the Covered List with access to sensitive U.S. records and domestic communications;

(iv) Not provide any individual or entity located in a foreign adversary country, as defined in § 1.70001(f), with physical or logical access to the submarine cable system sensitive U.S. records, or domestic communications;

(v) Adopt personnel screening and vetting measures for individuals whose position could involve securing principal equipment and/or physical and/or logical access to the submarine cable system (including but not limited to: the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and SLTEs), sensitive U.S. records, and/or domestic communications;

(vi) Adopt a written policy that will include, at a minimum, background investigations, public criminal records checks, or other analogous means to ascertain an individual's trustworthiness, subject to applicable law, conducted at least every five (5) years;

(vii) Ensure adherence to these requirements;

(viii) Report to the Commission and Committee Members the identities of all foreign individuals with physical and/or logical access to the submarine cable system (including but not limited to the cable landing station(s), NOC(s), beach manholes and related sites, principal equipment, and SLTEs), sensitive U.S. records, and/or domestic communications, or who secure principal equipment, within thirty (30) days of the submarine cable commencing service; and report any changes on a quarterly basis, including identifying new personnel with access and personnel who no longer have access;

(ix) Provide the Commission and the Committee Members annually in the report described in paragraph (ii)(9)(iii) of this section, with the submission of the names and information on: security officers, foreign participation, security policies, owners and officers, operational requirements, locations of access, principal equipment, third-party service providers (as defined in § 1.70001(d)), foreign persons or entities with access, SLTE owners and controllers, as well as any such information requested by the Commission and/or the Committee Member from the SLTE owners and operators. Authority is delegated to the Office of International Affairs, in coordination with the Public Safety and Homeland Security Bureau and the Committee Members as needed, to determine the information to be submitted and provide further guidance;

(x) Provide advance notification of thirty (30) days to the Commission and the Committee Members and obtain the majority of the Committee Members' non-objection in writing prior to the testing, adding, or use of any sensing capability (such as distributed acoustic, thermal, seismic, or other sensing) on the submarine cable system by any person (*e.g.,* licensee, other third party, service provider, principal equipment provider), consistent with the requirements set forth in § 1.40001(b)(9)(x); and

(xi) Provide updates to its submarine cable system information to the Commission and the Committee Members annually and within thirty (30) days of the change, to include but not limited to:

(A) A network and fiber map or diagram that includes physical and logical topology, including any terrestrial backhaul from the cable landing stations to the SLTE locations or other facilities housing principal equipment of the submarine cable;

(B) Network and telecommunications architecture descriptions and associated descriptions of interconnection points and controlled gateways to the principal equipment; and

(C) Descriptions of interfaces and connections to the submarine cable system for service offload, disaster recovery, or administrative functions.

(9) The licensee shall ensure that it consents to reporting to, and ongoing monitoring and inspection by, the Commission and the Committee Members throughout the term of the cable landing license to assess its compliance with all applicable routine conditions and national security standards. Authority is delegated to OIA, in consultation with the Committee Members, to, if it deems necessary to ensure compliance, administer audits to ensure compliance with these national security standards, including authority to establish the qualifications and approval of third-party auditors, establish deadlines and submission procedures, and coordinate with other U.S. government agencies as necessary. The licensee shall consent to:

(i) Monitoring and inspection of the licensee's facilities where principal equipment, as defined in § 1.70001(m), is located or that support the operation of the submarine cable system's connections to or from the United States, including but not limited to the NOC, as defined in § 1.70001(n), by the Commission and/or any other relevant U.S. government agencies, including the Committee Members;

(ii) Allowing the Commission and/or the Committee Members to meet with the licensee's personnel and conduct on-site interviews and to request additional information as necessary, throughout the term of the cable landing license, to verify the implementation of and compliance with all applicable routine conditions and national security standards;

(iii) Providing the Commission and Committee Members with an annual report, and upon request by the Commission, of its compliance with all applicable routine conditions and national security standards throughout the term of the license. The report shall include updated information and identify any changes made in the reporting period to:

(A) The names and contact information of the points of contact (POCs), and security and compliance officers;

(B) Ownership and foreign participation information;

(C) A list of all officers;

(D) The locations of access for the submarine cable;

(E) All third-party service providers, principal equipment, as defined in § 1.70001(m), and foreign persons or entities with access;

(F) The names and contact information of the SLTE owners and operators on the submarine cable, as well as any information requested by the Commission and/or the Committee

Members from the SLTE owners and/or operators;

(G) All security policies;

(H) Any operational changes and/or expansion plans for the submarine cable;

(I) A summary of any events that occurred during the reporting period that will or reasonably could impact the effectiveness of or compliance with the national security standards; and

(J) A certification that the licensee remains in compliance with all applicable routine conditions and national security standards or, if there were any known acts of noncompliance with the routine conditions and national security standards, a summary of such acts—whether inadvertent or intentional, with a discussion of what steps have been or will be taken to prevent such acts from occurring in the future.

(K) The annual report shall be submitted each year in the relevant license file number(s) in ICFS or any successor system. A copy of the report shall be filed directly with the Committee Members;

(iv) Allowing the Commission and/or the Committee Members to periodically, and no more than biennially, request a third-party audit or assessment of compliance with all applicable routine conditions and national security standards;

(v) Providing the Commission and the Committee Members with the name, title, business address, email address, and telephone number of a designated Security and Compliance Officer, who serves or will serve as the primary point of contact for license and compliance matters. This officer will be responsible for implementing and maintaining the licensee's cybersecurity and physical security risk management plans and ensuring adherence to the Commission's security and compliance requirements for the cable system.

(A) The Security and Compliance Officer shall be a U.S. citizen who is eligible for a U.S. government security clearance at the ''Secret'' level or higher. The Security and Compliance Officer will possess the appropriate senior-level corporate authority, reporting lines, independence, technical skills, and resources required to assess the cybersecurity, physical security, and logical security of submarine cable systems and to ensure compliance with the applicable Commission rules and regulations.

(B) The licensee shall notify the Commission and the Committee within ten (10) days of any change in the designated officer or the officer's contact information. The licensee shall work with the Commission and Committee Members to resolve any national security or law enforcement concerns that the Commission or Committee may raise with respect to the Security and Compliance Officer; and

(vi) Notifying the Commission and the Committee Members within seventy-two (72) hours of any violation of applicable routine conditions or national security standards, including a description of the violation and an explanation for why it occurred, and a description of any steps taken to remediate the violation.

■ 12. Delayed indefinitely, amend § 1.70011 by revising paragraphs (a)(2) and (b)(4) to read as follows:

§ 1.70011 Applications for modification of a cable landing license.

* * * * *

(a) * * *

(2) Certifications set forth under § 1.70006, except for § 1.70006(d) through (f). In addition to the certification set forth in § 1.70006(a), the licensee must certify that no third-party service provider, as defined in § 1.70001(d), will be used to provide services relating to the new segment(s) and/or cable landing station(s) that is an entity identified in § 1.70007(ee)(1)(i) through (iii), except as otherwise specified in § 1.70007(ee).

(i) A licensee seeking a modification of a cable landing license must certify in an application filed after [effective date of the amendatory instruction 12], that no principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), will be used on or added to the new segment(s) and/or landing station(s) of the submarine cable system, whether by the licensee or any other entity.

(ii) A licensee seeking a modification of a cable landing license must certify in the application that it has created, updated, and implemented a cybersecurity and physical security risk management plan, consistent with §§ 1.70006(c) and 1.70007(q).

* * * * *

(b) * * *

(4) Certifications set forth under § 1.70006 for the proposed new licensee, except for § 1.70006(d) through (f);

* * * * *

■ 13. Delayed indefinitely, amend § 1.70012 by revising paragraph (b)(7) to read as follows:

§ 1.70012 Substantial assignment or transfer of control applications.

* * * * *

(b) * * *

(7) The certifications set forth in § 1.70006, except for § 1.70006(d) through (f). A licensee seeking an assignment or transfer of control must certify in the application that it has created, updated, and implemented a cybersecurity and physical security risk management plan, consistent with §§ 1.70006(c) and 1.70007(q). The application must include a certification that the assignee or the transferee and the licensee that is the subject of the transfer of control accepts and will abide by the routine conditions specified in § 1.70007.

* * * * *

■ 14. Delayed indefinitely, amend § 1.70014 by revising paragraph (b) to read as follows:

§ 1.70014 Processing of applications.

* * * * *

(b) *Submission of application to executive branch agencies.* (1) On the date of filing with the Commission, the applicant shall also send a complete copy of the application, or any major amendments or other material filings regarding the application by electronic mail or postal mail, to: U.S. Coordinator, EB/CIP, U.S. Department of State, 2201 C Street NW, Washington, DC 20520–5818; Office of Chief Counsel/NTIA, U.S. Department of Commerce, 14th St. and Constitution Ave. NW, Washington, DC 20230; and Defense Information Systems Agency, ATTN: OGC/DDC, 6910 Cooper Avenue, Fort Meade, MD 20755–7088, and electronically as identified on the FCC website at *https://www.fcc.gov/submarine-cables* and shall certify such service electronically or by postal mail on a service list attached to the application or other filing. Authority is delegated to the Office of International Affairs to amend this rule and to amend the referenced website herein as necessary to update contact information and the list of agencies for filing.

(2) On the date of filing with the Commission, the applicant(s) seeking exemption from referral to the Executive Branch agencies pursuant to § 1.40001(b) shall also send a complete copy of the application, or any major amendments or other material filings regarding the application, electronically to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee). The applicant shall certify such service on a service list attached to the application or other

material filing. Authority is delegated to the Office of International Affairs to make ministerial changes to the website referenced in paragraph 1.70014(b)(1) of this section as necessary and appropriate to update contact information of the Committee for purposes of this requirement. Specifically, the applicant must submit the application or other material filing to: U.S. Department of Justice; U.S. Department of Homeland Security; U.S. Department of Defense; and National Telecommunications and Information Administration.

(i) The application will be placed on an informative public notice stating that the applicant has requested an exemption from referral and the application was submitted to the Committee.

(ii) The Committee or any Committee Member may notify the Commission in writing by filing in the relevant file number in the International Communications Filing System (ICFS) within thirty (30) days of the release date of the public notice if it objects to the exemption and requests referral of the application for further review pursuant to Executive Order 13913. Referral may only be requested via a filing in the relevant ICFS file number wherein the Committee or a Committee Member identifies credible and articulable national security, law enforcement, or other concerns specific to the applicant or the cable system, along with an explanation for why Committee referral is requested, and may include filing confidential and/or classified information if appropriate. In extraordinary extenuating circumstances, the Committee may request an additional thirty (30) days to complete its review and notify the Commission if it objects to the exemption and requests referral of the application pursuant to Executive Order 13913. In the case of a lapse of funding impacting any Committee Member's ability to review the information, this thirty (30) day period will be tolled and shall resume once funding is restored and review can continue. The Committee's requests for referral shall not be used to routinely refer all applications that presumptively qualify for the exemption. The Commission shall retain discretion whether or not to refer the application.

(iii) An applicant that seeks an exemption from referral pursuant to § 1.40001(b) shall comply with the requirement to file responses to standard questions pursuant to §§ 1.70005(j)(1) and 63.18(p) if applicable. Such applicant shall not be subject to the time frames and requirements of § 1.40004, unless or until such time the Commission determines that the application should be referred to the Executive Branch agencies.

■ 15. Delayed indefinitely, amend § 1.70017 by revising the end of paragraph (b)(4), adding paragraph (b)(5), revising paragraphs (c)(2), and revising paragraph (d) to read as follows:

§ 1.70017 Foreign adversary annual report for licensees.

* * * * *

(b) * * *

(4) * * * ; and/or

(5) That has purchased, rented, leased, or otherwise obtained or utilized equipment and/or services on the Covered List and/or is using such equipment or services in the submarine cable.

* * * * *

(c) * * *

(2) Certifications as set forth under § 1.70006, except for § 1.70006(b), (d) through (f).

* * * * *

(d) *Reporting deadlines.* Licensees shall submit their initial Foreign Adversary Annual Report within six months of [effective date of amendatory instruction 17], and each year. OIA shall establish and modify, as appropriate, the filing manner and associated deadlines for the Foreign Adversary Annual Report. OIA may, if needed, consult with the relevant Executive Branch agencies concerning the filing manner and associated deadlines for the annual reports. Licensees shall file the Foreign Adversary Annual Report pursuant to the deadlines. OIA shall determine the technical implementation of the Foreign Adversary Annual Report, including developing and modifying forms and instructions and administering the filing of the report, as appropriate. OIA shall establish and modify, as appropriate, the filing manner and associated deadlines for the Foreign Adversary Annual Report. OIA may, if needed, consult with the relevant Executive Branch agencies concerning the filing manner and associated deadlines for the annual reports. Licensees shall file the Foreign Adversary Annual Report pursuant to the deadlines.

* * * * *

■ 16. Delayed indefinitely, add § 1.70018 to read as follows:

§ 1.70018 SLTE foreign adversary annual report for licensees.

(a) *Annual report.* Any licensee subject to § 1.70003(a) or (b) that owns and/or operates SLTE and meets any of the criteria under paragraph (b) of this section shall file every year an annual report in the relevant File Number in the Commission's International Communications Filing System (ICFS), or any successor system.

(b) *Criteria for who must report.* The annual reporting requirement in this section applies to a licensee that owns or operates SLTE and:

(1) That is owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(2) That is identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601 through 1609;

(3) That has purchased, rented, leased, or otherwise obtained or utilized equipment and/or services on the Covered List and/or is using such equipment or services in the submarine cable;

(4) Whose authorization, license, or other Commission approval, whether or not related to the operation of a submarine cable, was denied or revoked and/or terminated or is denied or revoked and/or terminated in the future on national security and law enforcement grounds, as well as the current and future affiliates or subsidiaries of any such entity as defined in § 2.903(c) of this chapter; and/or

(5) The submarine cable system for which the entity is licensed to operate in the United States pursuant to § 1.70003, lands in a foreign adversary country, as defined in § 1.70001(f), or the licensee's SLTE is owned in or operated from a foreign adversary country such that the operation directly or indirectly connects the United States with any foreign country.

(c) *Information contents.* The SLTE Foreign Adversary Annual Report shall include information that is current as of thirty (30) days prior to the filing deadline, as follows:

(1) The information of the licensee as required in §§ 1.70005(a) through (d), (g), and 63.18(h);

(2) The location(s) of the SLTE(s) that the licensee owns and/or operates;

(3) Identify and describe whether the SLTE(s) is managed or operated by a third party; and

(4) Identify and describe whether the licensee leases, sells, shares, or swaps fiber, capacity, or spectrum on a Commission-licensed submarine cable system, including the name of each submarine cable system.

(5) Certifications as set forth under § 1.70006(b); and

(6) Certification that the licensee accepts and will abide by the routine conditions in § 1.70007 upon which its cable landing license is conditioned as set forth in § 1.70003.

(d) *Filing schedule.* The Office of International Affairs (OIA) shall establish and modify, as appropriate, the filing deadlines for the SLTE Foreign Adversary Annual Report. OIA shall consult with the Committee Members, and if needed, other relevant Executive Branch agencies concerning the filing deadlines for the SLTE Foreign Adversary Annual Report. OIA shall determine the technical implementation of the SLTE Foreign Adversary Annual Report, including developing and modifying forms and instructions and administering the filing of the report, as appropriate. OIA, in consultation with the Committee Members if needed, shall develop, implement, and modify the SLTE Foreign Adversary Annual Report as necessary. Licensees shall file the SLTE Foreign Adversary Annual Report pursuant to the deadlines.

(1) A licensee that owns and/or operates SLTE on a submarine cable landing in the United States must submit both the Foreign Adversary Annual Report under § 1.70017 and the SLTE Foreign Adversary Annual Report under this section if it meets any of the criteria set out in § 1.70017(b) and in § 1.70018(b).

(2) [Reserved]

(e) *Filing with the committee.* Licenses shall file a copy of the SLTE Foreign Adversary Annual Report directly with the Committee Members, as defined in § 1.70001(l).

■ 17. Delayed indefinitely, amend § 1.70020 by revising paragraph (b) to read as follows:

§ 1.70020 Renewal and extension applications.

* * * * *

(b) The application must include the information and certifications required in §§ 1.70002(b) through (c), 1.70004, 1.70005 except as specified herein, and 1.70006, except for 1.70006(d) through (f). A licensee seeking a renewal or extension of a cable landing license must certify in the application that it has created, updated, and implemented a cybersecurity and physical security risk management plan, consistent with §§ 1.70006(c) and 1.70007(q).

* * * * *

■ 18. Delayed indefinitely, add § 1.70025 to read as follows:

§ 1.70025 Foreign adversary equipment certification for cable landing licensees.

Each cable landing licensee shall submit a certification, within sixty (60) days of [effective date of amendatory instruction 18], that no principal equipment, as defined in § 1.70001(m), that is produced (including any major stage of the process through which the device is made, including manufacturing, assembly, design, and development) by any entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g), will be added, whether by the licensee or any other entity, to its licensed submarine cable system.

(a) The certification shall be filed under the relevant license file number(s) in the Commission's International Communications Filing System (ICFS), or any successor system.

(b) For those licensees with multiple cable landing licenses, the licensee will need to certify for each submarine cable system.

■ 19. Delayed indefinitely, add § 1.70026 to read as follows:

§ 1.70026 Prohibited third-party service providers for cable landing licensees.

(a) Each cable landing licensee shall submit a certification, within sixty (60) days of [effective date of amendatory instruction 19], that it will not enter into a new or extension of an existing arrangement with any third-party service provider, as defined in § 1.70001(d), for the provision of services relating to the submarine cable system that is identified in paragraphs (a)(1) through (3) of this section, except as otherwise specified in paragraph (a)(4):

(1) An entity owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary, as defined in § 1.70001(g);

(2) An entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609; and/or

(3) An entity that can access the submarine cable system from a foreign adversary country, as defined in § 1.70001(f).

(4) This paragraph (a) shall not apply to a licensee that is an entity identified on the Covered List. This paragraph (a) shall not apply where any entity identified in paragraphs (a)(1) through (3) of this section is involved in providing repair and maintenance to the wet segment of a Commission-licensed submarine cable; provided, the licensee must comply with § 1.70007(ff) as necessary.

(b) The certification shall be filed under the relevant license file number(s) in the Commission's International Communications Filing System (ICFS), or any successor system.

(c) For those licensees with multiple cable landing licenses, the licensee will need to certify for each submarine cable system.

■ 20. Delayed indefinitely, add § 1.70027 to read as follows:

§ 1.70027 Prohibited indefeasible rights of use for cable landing licensees.

Each cable landing licensee shall submit a certification, within sixty (60) days of [effective date of amendatory instruction 20], that it will not enter into a new arrangement or extend an existing arrangement, such as for Indefeasible Rights of Use (IRUs) or leases for capacity on the licensed submarine cable system, with an entity identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, where such arrangement would give the entity (*i.e.,* the IRU holder or lessee) the ability to install, own, or manage SLTE on a submarine cable landing in the United States. The licensee shall prohibit its customers and any further downstream customers from entering into such arrangements.

(a) The certification shall be filed under the relevant license file number(s) in the Commission's International Communications Filing System (ICFS), or any successor system.

(b) For those licensees with multiple cable landing licenses, the licensee will need to certify for each submarine cable system.

■ 21. Delayed indefinitely, add § 1.70028 to read as follows:

§ 1.70028 Foreign adversary certifications for cable landing licensees.

Each cable landing licensee shall submit a certification, within sixty (60) days of [effective date of amendatory instruction 21], that the licensee will comply with the requirements of § 1.80003(l)(1)(i) and (ii) of this chapter.

(a) The certification shall be filed under the relevant license file number(s) in the Commission's International Communications Filing System (ICFS), or any successor system.

(b) For those licensees with multiple cable landing licenses, the licensee will need to certify for each submarine cable system.

■ 22. Delayed indefinitely, add § 1.70029 to read as follows:

§ 1.70029 Changes to covered list certifications for cable landing licensees.

Each cable landing licensee shall certify, within sixty (60) days of [effective date of amendatory instruction 22], that the licensee will submit a certification, within sixty (60) days of the release of a public notice by the Commission or the Public Safety and Homeland Security Bureau announcing any new addition of equipment or services to the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601–1609, that:

(a) Acknowledges the addition to the Covered List, irrespective of whether the entity uses such equipment or services in its submarine cable system, and

(b) Includes a brief description of how and the purpose for which such equipment or services are used on the submarine cable system, if applicable.

(c) The certification shall be filed under the relevant license file number(s) in the Commission's International Communications Filing System (ICFS), or any successor system.

(d) For those licensees with multiple cable landing licenses, the licensee will need to certify for each submarine cable system.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[RTID 0648–XF895]

Pacific Halibut Fisheries of the West Coast; 2026 Catch Sharing Plan; Inseason Action

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason adjustment; request for comments.

SUMMARY: NMFS announces an inseason action for the Pacific halibut recreational fishery in the International Pacific Halibut Commission's (IPHC) regulatory Area 2A. This action adds fishing dates in August and September in the Columbia River and Washington subareas. These actions are intended to provide additional fishing opportunity for anglers in 2026 and are necessary to achieve the overall recreational fishery allocations for Area 2A established in the Pacific Fishery Management Council's (Council) 2026 Pacific Halibut Catch Sharing Plan and the 2026 IPHC regulations.

DATES: Effective July 24, 2026 through September 30, 2026. Comments are requested following this rule's publication, and are due on or before August 11, 2026.

ADDRESSES: Submit your comments, identified by NOAA–NMFS–2025–1131, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and enter NOAA–NMFS–2025–1131 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Jennifer Quan, Regional Administrator, c/o Joshua Lindsay, West Coast Region, NMFS, 501 W Ocean Blvd., Long Beach, CA 90802.

Instructions: NMFS may not consider comments if they are sent by any other method, to any other address or individual, or received after the comment period ends. All comments received are a part of the public record and NMFS will post them for public viewing on *https://www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, *etc.*), confidential business information, or otherwise sensitive information submitted voluntarily by the sender is publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Docket: This rule is accessible via the internet at the Office of the Federal Register website at *https://www.federalregister.gov.* Background information and documents are available at the NOAA Fisheries website at *https://www.fisheries.noaa.gov/action/2026-pacific-halibut-recreational-fishery* and at the Council's website at *https://www.pcouncil.org.* Other comments received may be accessed through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Joshua Lindsay, (213) 392–7410, or *Joshua.Lindsay@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On April 30, 2026, consistent with the 2026 IPHC regulations, NMFS implemented the 2026 recreational (sport) fishery bag limits, fishing dates, and subarea allocations for subareas off the U.S. West Coast in IPHC regulatory Area 2A via a final rule (91 FR 23369). The final rule implementing the 2026 recreational fishery management measures for Area 2A (91 FR 23369, April 30, 2026) opened the coastal Washington and Columbia River subareas on select days of the week from April 30, 2026 through June 30, 2026. The Puget Sound subarea opened 7 days per week from April 1, 2026 through June 30, 2026, pursuant to the 2026 IPHC regulations. The final rule implementing the 2026 recreational fishery management measures for Area 2A (91 FR 23369, April 30, 2026) stated that, if sufficient Washington and Columbia River subarea allocations remain for at least another full day of fishing after June 30, NMFS may take inseason action to reopen the Washington and Columbia River subareas in August, up to 7 days per week, through September. Additionally, Federal regulations provide that inseason modifications to recreational fishing periods, bag limits, size limits, open days per calendar week (fishing dates), and state and subarea allocations may be implemented to allow for annual allocation objectives to be met, so long as such action would not result in exceeding the Area 2A annual recreational allocation (50 CFR 300.63(c)(6)(i)).

In accordance with § 300.63(c), inseason actions are announced in the **Federal Register** and also on the NMFS hotline at (206) 526–6667 or (800) 662–9825. Weekly catch reports are available on the respective state Fish and Wildlife agency websites.

After consulting with the Washington Department of Fish and Wildlife (WDFW), the Oregon Department of Fish and Wildlife (ODFW), and other appropriate entities, NMFS has determined that the following actions are necessary to meet the management objective of achieving, but not exceeding, the Area 2A 2026 recreational fishery subarea allocations. These actions are intended to provide opportunity for anglers to achieve the overall Area 2A 2026 recreational fishery allocation. NMFS will continue to monitor the recreational catch estimates for all subareas obtained via state sampling procedures, until NMFS has determined that there is not sufficient allocation for another full day of fishing and the relevant subarea is closed by NMFS, or until there are no more open fishing dates, whichever is earlier.

Inseason Actions

The Pacific halibut fishery regulations for Area 2A at § 300.63(c)(6) provide NMFS with the authority to modify annual management measures inseason, including fishing periods, following