



8 December 2025

(25-8223)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Federal Communications Commission (FCC)
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], 3.2 [], 7.2 [], Other:
4. Products covered (HS codes or national tariff lines. ICS numbers may be provided in addition, where applicable): Equipment authorization processes; Product and company certification. Conformity assessment (ICS code(s): 03.120.20); Radiocommunications (ICS code(s): 33.060)
5. Details of notified document(s) (title, number of pages and languages, means of access): Protecting Against National Security Threats to the Communications Supply Chain Through the Equipment Authorization Program; (10 page(s), in English) Link to notified document(s) and/or contact details for agency or authority which can provide copies upon request: https://members.wto.org/crnattachments/2025/TBT/USA/25_08717_00_e.pdf https://members.wto.org/crnattachments/2025/TBT/USA/25_08717_01_e.pdf
6. Description of content: Proposed rule - In this document, the Federal Communications Commission (Commission or FCC) aims to further its actions in strengthening prohibitions on authorization of covered equipment and to clarify the rules and enforcement of such. The Commission seeks additional comment on modular transmitters and component parts in relation to covered equipment. The Commission addresses the partial court remand of the decision in its November 2022 EA Security Report and Order (R&O) by proposing a definition of "critical infrastructure" as used on the Covered List and seeking comment on the implementation of that definition. The Commission also seeks comment on whether any modification to an authorized device by an entity identified on the Covered List should require a new application for certification. Finally, the Commission seeks comment on clarifying the scope of activities that constitute marketing of equipment and on measures to strengthen enforcement of marketing prohibitions.
7. Objective and rationale, including the nature of urgent problems where applicable: National security requirements

8. Relevant documents:

90 Federal Register (FR) 55826, 4 December 2025; [Title 47 Code of Federal Regulations \(CFR\) Part 2](#):

<https://www.govinfo.gov/content/pkg/FR-2025-12-04/html/2025-21928.htm>

<https://www.govinfo.gov/content/pkg/FR-2025-12-04/pdf/2025-21928.pdf>

<https://docs.fcc.gov/public/attachments/FCC-25-71A1.pdf>

This proposed rule is identified by [ET Docket No. 21-232](#); [FCC 25-71](#). The full text of the proposed rule is available from the Commission's website at <https://docs.fcc.gov/public/attachments/FCC-25-71A1.pdf>. The Docket Folder is available on the FCC's website at <https://www.fcc.gov/edocs/search-results?t=quick&dockets=21-232> and provides access to associated documents. Commission documents are also accessible from the FCC's [Electronic Document Management System \(EDOCS\)](#) by searching the ET Docket Number.

9. Proposed date of adoption: To be determined

Proposed date of entry into force: To be determined

10. Provision of comments

Final date for comments: 2 February 2026

[] 60 days from notification

Comments are due on or before 5 January 2026 and reply comments are due on or before 2 February 2026. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by or before [4pm Eastern Time](#) on 2 February 2026. Comments received from WTO Members and their stakeholders will be shared with FCC and will also be submitted to the FCC's [Electronic Comment Filing System \(ECFS\)](#) if received within the comment period. Comments "filings" and Commission documents are posted at [https://www.fcc.gov/ecfs/search/search-filings/results?q=\(proceedings.name:\(%2221-232%22\)\)](https://www.fcc.gov/ecfs/search/search-filings/results?q=(proceedings.name:(%2221-232%22))).

Contact details of agency or authority designated to handle comments regarding the notification:

Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov