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February 2, 2026

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program – PS Docket No. 21-232

Dear Ms. Dortch:

At CES® 2026 last month, more than 148,000 attendees saw firsthand how new technology advancements are delivering benefits to every sector of the economy and enhancing Americans daily lives.¹ During a CES fireside chat with CTA CEO and Executive Chair Gary Shapiro, Chairman Carr highlighted the importance of these innovations to U.S. technology leadership and the FCC's vital role in fostering innovation.²

Thus, CTA supports the Federal Communications Commission's ("Commission's" or "FCC's") efforts to strengthen its equipment authorization framework and safeguard U.S. communications networks. As the Commission evaluates next steps in this proceeding, American industry needs a risk-based, clear, and administrable approach that targets genuine security threats while preserving timely access to innovative technologies and minimizing unnecessary burdens on responsible manufacturers, importers, and retail partners.³ The FCC's work to protect U.S. consumers from untrusted equipment and services, pursuant to the Secure and Trusted Communications Networks Act (Secure Networks Act) and the Secure Equipment

¹ CTA Staff, *CES 2026: Innovators Showed Up, Big Time*, Consumer Technology Association (CTA) (Jan. 12, 2026), <https://www.ces.tech/articles/ces-2026-innovators-showed-up-big-time/>.

² See FCC Chair Brendan Carr on Technology Policy and Innovation, C-SPAN (Jan. 8, 2026), <https://www.c-span.org/program/public-affairs-event/fcc-chair-brendan-carr-on-technology-policy-and-innovation/671228>.

³ *Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program*, Second Report and Order and Second Further Notice of Proposed Rulemaking, ET Docket No. 21-232, FCC 25-71 (rel. Oct. 29, 2025) (Second Order or Second FNPRM).

Act, is a key part of that effort.⁴ CTA appreciates the FCC’s commitment to implementing these evolving rules in a way that promotes national security while also maintaining the availability and functionality of technology for consumers and promoting U.S. competitiveness in the global market.

To achieve this goal, commenters on the *Second FNPRM* agree:

- (i) Any implementation of Covered List prohibitions should directly track the underlying specific determination(s) made by enumerated sources in the Secure Networks Act, including with respect to the scope of covered products and the implementation timeline.⁵ This alignment provides an ongoing foundation for a clear, holistic national security risk posture and consistent compliance as that posture evolves.
- (ii) Taking a targeted, risk-based approach to any additional restrictions on component parts, and to limitations on existing authorizations based on those restrictions, will reduce unintended adverse consequences to the supply chain and support continued American leadership in the global technology ecosystem.⁶
- (iii) Incorporating reasonable transition periods for any new component prohibitions, informed by the production cycles of impacted sectors, will help ensure the continued availability of products on which the public relies.⁷
- (iv) Avoiding changes to the Commission’s marketing rules that would impose burdens on consumers and complying entities without commensurate security benefits will help avoid prohibitive compliance costs while achieving the FCC’s national security goals.⁸

⁴ *Secure and Trusted Communications Networks Act of 2019*, Pub. L. No. 116-124, 134 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1601–1609); *Secure Equipment Act of 2021*, Pub. L. No. 117-55, 135 Stat. 423 (2021) (codified at 47 U.S.C. § 1601 (Statutory Notes and Related Subsidiaries)).

⁵ See, e.g., Comments of CTA, ET Docket No. 21-232, at 3-5 (filed Jan. 5, 2026) (CTA Comments); Comments of CTIA, ET Docket No. 21-232, at 12 (filed Jan. 5, 2026) (CTIA Comments); Comments of the Telecommunications Industry Association (TIA), ET Docket No. 21-232, at 2-4 (filed Jan. 5, 2026) (TIA Comments).

⁶ See, e.g., CTA Comments at 5-7; CTIA Comments at 19; Comments of International Technology Industry Council (ITI), ET Docket No. 21-232, at 5-6 (filed Jan. 5, 2026) (ITI Comments); Comments of Sony, ET Docket No. 21-232, at 1-2 (filed Jan. 5, 2026) (Sony Comments); TIA Comments at 5-6.

⁷ See, e.g., CTA Comments at 8-9; CTIA Comments at 14-16; Comments of Garmin, ET Docket No. 21-232, at 12-16 (filed Jan. 5, 2026) (Garmin Comments); ITI Comments at 5; Comments of Somos, ET Docket No. 21-232, at 2-3 (filed Jan. 5, 2026); TIA Comments at 6-7; Comments of USTelecom, ET Docket No. 21-232, at 8 (filed Jan. 5, 2026) (USTelecom Comments).

⁸ See, e.g., CTA Comments at 9-13; CTIA Comments at 23-25; ITI Comments at 6; Comments of MEMA – The Vehicle Suppliers Association, ET Docket No. 21-232, at 6 (filed Jan. 5, 2026) (MEMA Comments); Sony Comments at 2-3.

As the Commission considers next steps regarding the *Second FNPRM* and its ongoing implementation of Covered List prohibitions, one additional point remains clear: reasonable transition periods for new prohibitions, particularly new prohibitions on components, enable crucial updates that can mitigate harms to consumers.

Transition Periods Mitigate Risks by Enabling Important Maintenance and Updates, Along with Other National and Economic Security Benefits

A key aspect of a reasonable transition period is time for continued maintenance for implicated equipment and services in the market. Through its implementation of the Secure Networks Act and the Secure Equipment Act, the FCC has recognized—and aimed to mitigate—the extraordinarily disruptive effects that prohibiting devices on the market can have on consumers and critical infrastructure operations.⁹ Stakeholders repeatedly emphasize that abrupt and overbroad bans can hurt consumers, shock supply chains and ultimately undermine the United States’ position in the global market.¹⁰ For this reason, the *Second Order* establishes a prospective approach to limiting previously granted authorizations “that would not affect consumers’ continued use or operation of devices they already possess.”¹¹

New prohibitions on components pose the same concern where consumers and businesses rely on technologies they legally purchased but which now include banned parts. Stakeholders agree that to maintain operations and give entities time to source new products from trusted suppliers, these products must be able to receive ongoing updates and patches.¹² The Commission recognized this need most recently in the context of covered uncrewed aircraft systems (UAS) and UAS critical components, in which the Office of Engineering and Technology (OET) waived prohibitions on Class I permissive changes to allow for continued software, firmware and security updates.¹³ OET recognized that such updates “ensure the continued functionality of the devices” and include software, firmware and security updates “that patch vulnerabilities and facilitate compatibility with different operating systems.”¹⁴ CTA applauds

⁹ Even in the Supply Chain Reimbursement Program, where Sec. 889 of the FY19 NDAA prohibited the use of funds to maintain Huawei or ZTE equipment or services, the Commission allowed funds to reimburse interim facilities to avoid prolonged down-time during the transition. See FCC, *Secure and Trusted Communications Networks Reimbursement Program: Frequently Asked Questions*, at 12 (updated Apr. 25, 2025), <https://www.fcc.gov/sites/default/files/SCRP-FAQ-2025.pdf>.

¹⁰ See, e.g., Garmin Comments at 4; ITI Comments at 4-6; MEMA Comments at 5-6; USTelecom Comments at 5-6.

¹¹ *Second Order* ¶ 40.

¹² See, e.g., MEMA Comments at 6; Somos Comments at 5.

¹³ See *Office of Engineering and Technology Announces Waiver of Prohibitions on Certain Class I Permissive Changes to Covered UAS and UAS Critical Components*, ET Docket No. 21-232, Public Notice, DA 26-69 (OET Jan. 21, 2026) (waiving its prohibition on Class I permissive changes under 47 CFR §§ 2.932(b) and 2.1043(b) until Jan. 1, 2027 to software and firmware updates that mitigate harm to U.S. consumers).

¹⁴ *Id.* at 2.

this decision to mitigate harm to U.S. consumers, and urges the Commission to adopt this approach as the default policy for any future prohibitions.

Targeted Clarifications in the *Second Order* Will Ensure Ongoing National Security Alignment and Reduce Compliance Costs

Finally, CTA encourages the Commission to act expeditiously on CTA-TIA’s Petition for Clarification on the *Second Order* to (1) clarify that any actions under the new process for limiting existing authorizations are taken in a way that directly reflects specific determinations by Enumerated Sources; and (2) direct PSHB and OET to engage with stakeholders in developing further guidance on how to evaluate whether a product is “produced by” a specified entity.¹⁵ The Commission should resist calls to expand or muddy the understanding of this term in the further rulemaking.¹⁶ Instead, CTA urges the Commission to heed requests by many commenters who agree that companies need additional guidance on interpreting the term “produced by” in order to effectively comply with the Commission’s new rules.¹⁷ Initiating a collaborative process through the Bureaus will help generate a mutual understanding of how to evaluate and support these interpretations going forward – especially as stakeholders diverge on the meaning of “produced by” and the degree of supply chain dissection required to mitigate national security risks.

CTA remains a committed partner and resource for the Commission in the important, continuous task of implementing the Secure Equipment Act. The recommendations above, supported by the weight of the record in this proceeding, will help ensure that the Commission’s implementation of Covered List prohibitions promotes a unified national security posture while minimizing negative impacts to consumers and businesses working to comply in good faith. CTA welcomes further engagement with the Commission on this important matter.

Respectfully submitted,

/s/ J. David Grossman
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Vice President, Policy & Regulatory Affairs

/s/ Rachel Nemeth
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¹⁵ Petition of CTA and TIA for Clarification Regarding *Second Order*, ET Docket No. 21-232, (filed Dec. 22, 2025), <https://www.fcc.gov/ecfs/document/122296096492/1>.

¹⁶ Telit Cinterion Comments at 3 (warning of rule evasion without additional rules and guidance).

¹⁷ See, e.g., CTIA Comments at 9-10.