

III. Incorporation by Reference

In this document, the EPA is proposing to amend regulatory text that includes incorporation by reference. The EPA is proposing to remove R18–2–715(F)(2) and (H) as described in Table 1 of this preamble from the Arizona State Implementation Plan, which is incorporated by reference in accordance with the requirements of 1 CFR part 51.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide the EPA with the discretionary authority to address

disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur dioxide.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: February 18, 2021.

Deborah Jordan,

Acting Regional Administrator, Region IX.

[FR Doc. 2021–03753 Filed 3–2–21; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 63

[**IB Docket No. 16–155; DA 20–1545; FRS 17408**]

International Bureau Seeks Comment on Standard Questions for Applicants Whose Applications Will Be Referred to the Executive Branch for Review Due to Foreign Ownership

AGENCY: Federal Communications Commission.

ACTION: Proposed rules.

SUMMARY: In this document, the International Bureau seeks comment on a set of standardized national security and law enforcement questions (Standard Questions) that proponents of certain applications and petitions involving reportable foreign ownership will be required to answer as part of the application review process and whose application and petition will be referred to the Executive Branch.

DATES: Comments are due April 2, 2021. Reply comments are due April 19, 2021.

ADDRESSES: You may submit comments, identified by IB Docket No. 16–155, by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECF's: <http://www.fcc.gov/ecfs/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19.

See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, 35 FCC Rcd 2788 (2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

People with Disabilities. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

In addition, filers should provide one copy of each filing to each of the following:

- (1) Arthur Lechtman, Attorney, Telecommunications and Analysis Division, International Bureau, at Arthur.Lechtman@fcc.gov, and
- (2) David Krech, Associate Division Chief, Telecommunications and Analysis Division, International Bureau, at David.Krech@fcc.gov.

FOR FURTHER INFORMATION CONTACT: Arthur Lechtman, International Bureau, Telecommunications and Analysis Division, at (202) 418–1465. For information regarding the Paperwork Reduction Act (PRA) information collection requirements contained in the PRA, contact Cathy Williams, Office of Managing Director, at (202) 418–2918 or Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Public Notice, DA 20–

1545, released on December 30, 2020. The full text of this document is available on the Federal Communications Commission's website at <https://www.fcc.gov/document/standard-questions-applications-referred-executive-branch>.

Supplemental Initial Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the International Bureau has prepared a Supplemental Initial Regulatory Flexibility Analysis (Supplemental IRFA) of the possible significant economic impact on small entities of the proposals addressed in this Public Notice to supplement the Federal Communications Commission's (Commission) Final Regulatory Flexibility Analyses completed in the *Executive Branch Review Order*, 85 FR 76360 (Nov. 27, 2020).

Synopsis

By this Public Notice, the International Bureau (Bureau) seeks comment on a set of standardized national security and law enforcement questions (Standard Questions) that proponents of certain applications and petitions involving reportable foreign ownership will be required to answer as part of the review process. In the *Executive Branch Review Order*,¹ the Commission adopted rules and procedures to facilitate a more streamlined and transparent review process for coordinating these applications and petitions with the Executive Branch agencies (the Departments of Justice, Homeland Security, Defense, State, and Commerce, as well as the U.S. Trade Representative) for any national security, law enforcement, foreign policy, or trade policy issues. The Commission refers applications for international section 214 authorizations and submarine cable licenses and applications to assign, transfer control or modify such authorizations and licenses where the applicant has reportable foreign ownership, and all petitions for section 310(b) foreign ownership rulings.

To expedite the Executive Branch agencies' review of such applications and petitions, applicants and petitioners will provide responses to the Standard Questions directly to the Committee for

the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) prior to or at the same time that they file applications or petitions with the Commission. The Commission adopted five categories of information to be provided by an applicant or petitioner: (1) Corporate structure and shareholder information; (2) relationships with foreign entities; (3) financial condition and circumstances; (4) compliance with applicable laws and regulations; and (5) business and operational information, including services to be provided and network infrastructure. The Commission directed the International Bureau (Bureau) to develop, solicit comment on, and make available on a publicly available website the Standard Questions that will elicit the information needed by the Committee within those categories of information. The Bureau will also maintain and update the Standard Questions, as needed.

We seek comment on the Standard Questions set out in each of the following Appendices, which are identified by the type of application or petition. The Standard Questions are based upon current questionnaires used by the Committee to obtain information from applicants and petitioners.

- *Appendix A—Standard Questions for an International Section 214 Authorization Application.* Standard Questions for an international section 214 authorization application filed pursuant to 47 CFR 63.18, including a modification of an existing authorization;

- *Appendix B—Standard Questions for an Application for an Assignment or Transfer of Control of an International Section 214 Authorization.* Standard Questions for an assignment or transfer of control of an international section 214 authorization application filed pursuant to 47 CFR 63.24;

- *Appendix C—Standard Questions for Submarine Cable Landing License Application.* Standard Questions for a cable landing license application filed pursuant to 47 CFR 1.767 including a modification of an existing license;

- *Appendix D—Standard Questions for an Application for Assignment or Transfer of Control of a Submarine Cable Landing License.* Standard Questions for an assignment or transfer of control of a cable landing license application filed pursuant to 47 CFR 1.767;

- *Appendix E—Standard Questions for Section 310(b) Petition for Declaratory Ruling Involving a Broadcast Licensee.* Standard Questions for a petition for declaratory ruling for

foreign ownership in a broadcast licensee above the benchmark in section 310(b)(4) of the Communications Act (the Act) filed pursuant to 47 CFR 1.5000–1.5004;

- *Appendix F—Standard Questions for Section 310(b) Petition for Declaratory Ruling Involving a Common Carrier Wireless or Common Carrier Earth Station Licensee.* Standard Questions for a petition for declaratory ruling for foreign ownership in a common carrier wireless or common carrier earth station licensee above the benchmarks in section 310(b)(3) or 310(b)(4) of the Act filed pursuant to 47 CFR 1.5000–1.5004; and

- *Appendix G—Personally Identifiable Information (PII) Supplement.* All of the Standard Questions reference this supplement to assist the Committee in identifying PII.

We seek comment on the questions in each of the Appendices. If needed, to help clarify the questions for applicants and petitioners, we ask that commenting parties provide specific suggested changes to the language of the questions. We seek comment on whether there are questions that are not necessary or if there are any questions that we should include to help expedite the review process. We ask parties for comment on the definitions of key terms that are used in the Appendices, such as “corporate officers” and “senior-level” officers as well as “remote access” and “managed services.” We seek comment on how often, and under what circumstances, the Bureau should reevaluate the Standard Questions. Finally, we seek comment on how long it would take applicants to fill out each questionnaire.

After we review and consider the comments received on the Standard Questions, we will issue an Order addressing the comments and will seek approval for the Standard Questions under the Paperwork Reduction Act. We will issue a Public Notice informing the public of the effective date of the Standard Questions. Following Public Notice of the effective date, the Standard Questions will be made available on the Commission's website and all parties filing applications or petitions subject to Executive Branch referral will be required to submit answers to the Standard Questions to the Committee prior to or at the same time that they file the application or petition with the Commission. Until that time, the Committee will continue to send its own questions to the applicant or petitioner upon the Commission's referral of the application or petition.

¹ *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16–155, Report and Order, 85 FR 76360 Nov. 27, 2020, 35 FCC Rcd 10927 (2020) (*Executive Branch Review Order*); *Erratum* (Appendix B—Final Rules), 35 FCC Rcd 13164 (OMD/IB 2020).

Supplemental Initial Regulatory Flexibility Analysis

Pursuant to the Regulatory Flexibility Act of 1980, as amended (RFA),² we have prepared this Supplemental Initial Regulatory Flexibility Analysis (Supplemental IRFA) of the possible significant economic impact on small entities of the proposals addressed in this Public Notice to supplement the Commission's Final Regulatory Flexibility Analyses completed in the *Executive Branch Review Order*.³ Written public comments are requested on this Supplemental IRFA. Comments must be identified as responses to the Supplemental IRFA and must be filed by the same deadline for comments specified on the first page of this Public Notice. We will send a copy of this Public Notice, including this Supplemental IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).⁴

This Public Notice sets forth the specific proposed "Standard Questions" for applications and petitions prescribed by the *Executive Branch Review Order*. As noted in the Initial and Final Regulatory Flexibility Analyses associated with that proceeding, standardizing these questions should improve the timeliness and transparency of the Executive Branch review process, thereby lessening the burden on all applicants and petitioners, including small entities. That order specified that the Standard Questions should include the following categories of information: (1) Corporate

structure and shareholder information; (2) relationships with foreign entities; (3) financial condition and circumstances; (4) compliance with applicable laws and regulations; and (5) business and operational information, including services to be provided and network infrastructure. The proposed Standard Questions constitute the more specific implementation of the requirements set forth in the *Executive Branch Review Order* and are fully consistent therewith, and as directed by the Commission in that order take due account of the sample questions previously made available in this docket and the comments provided to the Commission thereon. Initial and Final Regulatory Flexibility Analyses were incorporated into the *Executive Branch Review Order* and the notice of proposed rulemaking associated with that order. In this Public Notice, we hereby incorporate by reference the descriptions and estimates of the number of small entities, as well as the associated analyses, set forth therein.

A copy of this Public Notice, including the Supplemental Initial Regulatory Flexibility Analysis, shall be sent to the Chief Counsel for Advocacy of the Small Business Administration.

Ex Parte Information

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the

presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the Commission's rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Federal Communications Commission

Troy Tanner,

Deputy Chief, International Bureau.

Note: The following appendices will not appear in the Code of Federal Regulations.

BILLING CODE 6712-01-P

² 5 U.S.C. 603. The RFA, 5 U.S.C. 601-612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104-121, 110 Stat. 857 (1996).

³ *Executive Branch Review Order*, 35 FCC Rcd at 10990-11000, App. C.

⁴ See 5 U.S.C. 603(a).

Appendix A

Standard Questions for an International Section 214 Authorization Application

Applicant:**FCC File Number(s):**

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced application by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the application. After review, the Committee may request additional information, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, when required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the application without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Complete all Sections:** When a “Yes” answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and its security-related practices, and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services the Applicant will be offering should the FCC grant those authorities. Accordingly, in answering the “Section V: Applicant’s Services” questions and “Section VI: Applicant Services Portfolio Checklist and Reference Questions,” the Applicants must file complete and accurate responses and identify all switches, routing equipment, and all services offered in retail markets.
- 2) Identify Sensitive Information:** Specifically identify answers or documents for which a claim of privilege or confidentiality is asserted based on the information containing trade secrets or commercial or financial information. If there are multiple applicants, each applicant should also clearly mark any answers or documents that contain sensitive

information that should not be disclosed to the other applicants. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.

- 3) **Response Format:** Uniquely and sequentially Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).
- 4) **Individuals' Names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 5) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working, or shared virtual locations may not be used in lieu of residence addresses.
- 6) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 7) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership, equipment, and Communications Assistance for Law Enforcement Act (CALEA) compliance.
- 8) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the Applicant/Licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the Licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.
 - "Ultimate Owner" and "Ultimate Parent" refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.

- “Immediate Owner” refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.
- An Entity or Individual with an “Ownership Interest” is any Entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” and the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* controlling interests, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity.
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant/Licensee.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- “Individual” refers to a natural person, as distinguished from an Entity.
- “Managed Services” or “Enterprise Services” refers to the provision of a complete, end-to-end communications solution to customers.
- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the Ultimate Parent/Owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all entities that exist in the ownership structure between the Applicant itself and its Ultimate Parent).
- “Remote Access” is access from a point that is not physically co-located with the Applicant’s network facilities, or that is not at a point within the Applicant’s network.
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Applicant

- 1) Provide the Applicant's name, address, principal place of business, and place of incorporation.

Section II: Applicant's Ownership

- 2) Identify each Individual or Entity that holds an Ownership Interest in the Applicant, specifically identifying any foreign Entities or Foreign Government-controlled entities, including the ultimate parent owner of the Applicant and any other Individuals/Entities holding an Ownership Interest in the chain of ownership.
 - a) For each such Individual or Entity with Ownership Interest in Applicant, include a clear explanation of its involvement in the Applicant, including whether it will have a management role.
 - b) For each such Individual or Entity with an Ownership Interest in Applicant, provide all identifying information, as follows:
 - i) For Individuals, provide the name (including all names and aliases used by that person), country of citizenship (indicate whether the individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate if individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers. Personally Identifiable Information (PII) may be provided in Appendix G, a PII Supplement.
 - ii) For Entities, provide country of incorporation (if the United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm, etc.), all business addresses, email addresses, and related phone numbers.

Section III: Applicant Details

- 3) Does the Applicant have existing (or planned) relationships/partnerships (formal or informal), funding or service contracts, directly or indirectly, with any foreign Individuals, foreign companies, Foreign Governments, and/or any Foreign Government-controlled companies?

Yes No

If yes, indicate whether the relationship/partnership includes a management role by any foreign Individuals, foreign companies or Foreign Governments. Provide the name(s) of the foreign Individuals, foreign companies and Foreign Governments and explain the nature of the relationship/partnership, including whether the relationship/partnership currently exists and/or is intended to continue in the future.

- 4) Identify the total number of current employees, and planned number of employees for the Applicant for the next 12 months.

- 5) Does the Applicant currently operate or plan to operate a website?

Yes No

If yes, provide all URL addresses for any current or known future company websites and describe whether the information in the website is up to date.

- 6) Has the Applicant, any Entity with an Ownership Interest in the Applicant, or any of the Applicant's Corporate Officers, Senior Officers or Directors been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of the Applicant's or its parent's debts, in any jurisdiction over the past 5 years?

Yes No

If yes, provide details.

- 7) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant ever been involved or associated with a previous application to the FCC?

Yes No

If yes, provide application identifying information.

- 8) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant ever been involved or associated with a previous filing with the Committee on Foreign Investment in the United States (CFIUS)?

Yes No

If yes, provide filing identifying information.

- 9) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked/terminated by the FCC?

Yes No

If yes, provide details.

- 10) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?

Yes No

If yes, provide details.

- 11) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant, ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual and/or Entity involved, dates, offenses, jurisdiction/court, and sentence.

- 12) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant, ever been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, the U.S. Department of State, U.S. Department of the Treasury (including, but not be limited to, the Internal Revenue Service, Office of Foreign Assets Control, Financial Crimes Enforcement Network (FinCEN), or the Office of the Comptroller of the Currency), U.S. Department of Energy, U.S. Department of Commerce, U.S. Federal Trade Commission, U.S. Securities and Exchange Commission, U.S. Environmental Protection Agency, the World Bank Group, or the U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual and/or Entity involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 13) Has the Applicant, any investor with an Ownership Interest in the Applicant, any of its Corporate Officers, or any associated foreign entities, ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?

Yes No

If yes, describe in detail, including providing the specific category of list, the name of the Individual or Entity placed on the list, the date the Individual or Entity was placed on the list, and the factual circumstances underlying the reason for the Individual or Entity being placed on the list.

- 14) Has the Applicant, any Corporate Officers, Senior Officers, Directors, or any Individual/Entity with an Ownership Interest in the Applicant, ever been investigated, arraigned, arrested, indicted or convicted of any of the following:

a) Criminal violations of U.S. law, including espionage-related acts or criminal violations of the International Trade in Arms Regulations (ITAR) or the Export Administration Regulations (EAR)?

Yes No

b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to Federal, state, or local law?

Yes No

c) Violations of Federal, state, or local law in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions?

Yes No

If yes to any of the above, describe in detail, including name(s) of Corporate Officers and Senior Officers involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

Section IV: Applicant Operations

15) Has the Applicant been operational over the course of the current or previous year?

Yes No

If yes, answer the following:

- a) Provide separately for each year its gross revenue.
- b) Provide separately for each year the Cost of Goods Sold (COGS).
- c) What was the total amount of COGS allocated for telecommunications equipment and service types?
- d) Describe the customer base of the Applicant (business, residential, carrier, enterprise).
- e) Describe, for all services provided to each category of customer (e.g., enterprise, residential, carrier, etc.):
 - i. Total number of subscribers;
 - ii. Total annual gross revenue for preceding fiscal year; and
 - iii. Percentage of total gross revenue per category of customer for preceding fiscal year.

16) List all expected and actual Federal, state, and local government customers including pursuant to any classified contracts and include a description of all services to be provided, or services that are currently being provided, to such customers.

17) Name each of the Applicant's Senior Officers and Directors and for each provide the following:

- a) Explain the nature and extent of each Senior Officer's or Director's involvement in the Applicant; and
- b) Provide the countries of citizenship, date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers. PII may be provided in Appendix G.

18) Identify the Senior Officer or employee (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Applicant's authorized law enforcement point of contact responsible for accepting and responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.

- a) Explain the Individual's relationship to the Applicant and provide name, all countries of citizenship, date and place of birth, U.S. social security number, all passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.

19) Identify whether, if required by law, regulation or license condition, the Applicant will report to the appropriate law enforcement agencies, immediately upon discovery:

- a) Any act of compromise of a lawful interception of communications?
Yes No
- b) Any unauthorized access to customer information and/or call-identifying information?
Yes No
- c) Any artificially inflated or fraudulent call traffic detected on your network?
Yes No
- d) Any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) conviction, U.S. or foreign, of the Applicant or its officers/directors, or any Individual/Entity Ownership Interest in the Applicant?
Yes No
- e) Any act of unlawful electronic surveillance that occurred on its premises or via electronic systems under its control?
Yes No

20) Will the Applicant store and/or maintain any U.S. communications content, transactional data, call-associated data, billing records or other subscriber information?

Yes No

If yes, answer the following:

- a) Describe the types of records that will be stored.
- b) Provide all addresses of locations where such records will be stored and/or remotely accessed/managed via electronic systems.
- c) If any storage location differs from the Applicant's address, explain the general purpose of the location and its function within the Applicant's business.
- d) If any of the records will be accessible from outside the United States, explain where, how, and who will have access to them.
- e) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.

21) Will any Non-U.S. Individual have access to one or more of the following:

- a) Physical facilities and/or equipment under the Applicant's control?

Yes No

If yes, provide the identity of the Individual(s) and explain the type(s) of access that will be provided.

- b) Customer records, including Customer Proprietary Network Information (CPNI), billing records, and Call Detail Records (CDRs)?

Yes No

If yes, provide identity of the Individual(s) and explain the type(s) of access and records that will be provided.

- c) Network control, monitoring, and/or auditing features?

Yes No

If yes, explain the type(s) of access that will be provided, and how access will be logged and archived.

- d) Electronic interfaces that allow control and/or monitoring of the infrastructure under the Applicant's control including, but not limited to, access to actual communications content and data?

Yes No

If yes, provide the identity of the Individual(s) and explain the type(s) of access and control that will be provided.

For each Individual identified in response to these questions, provide the following information: name, countries of citizenship, date and place of birth, U.S. alien number and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.

- 22) What access control/security policies (physical and cyber) are in place, or will be in place prior to commencing operations, for your network? If the policies exist and are available in writing, provide copies of these policies.

- 23) What encryption products/technologies have been installed on this network, or will be installed prior to commencing operations?

- 24) Does/will the Applicant have any screening and/or vetting procedures which will be applied to U.S. or non-U.S. Individuals who have access, remote or otherwise, to the Applicant's communications network facilities, equipment, or data?

Yes No

If yes, explain all such procedures.

- 25) Identify whether, if required by law, regulation, or a license condition, the Applicant will inform the National Security Division (NSD) of the U.S. Department of Justice if, in the future, any record storage/access location is transferred and/or newly established outside of the United States.

Yes No

- 26) Explain how the Applicant would make any and all records not stored in the United States electronically available in the United States within 5 business days pursuant to a lawful request to the authorized law enforcement point of contact identified above.
- 27) Describe all lawful intercept capabilities of the Applicant and its Ownership Interest holders.
- 28) What, if any, outside capabilities via Remote Access will exist within the Applicant to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring)?
- 29) Do/will any third-party Individual or Entity have Remote Access to the Applicant's network, systems, or records to provide Managed Services?
Yes No

If yes, provide a detailed explanation.

Section V: Applicant's Services

- 30) Provide a general summary of the nature of the Applicant's current and planned services and operations, including an explanation of the Applicant's intended overall business model and its relationship with any sister and/or partner companies.
- 31) Why is the Applicant seeking an FCC Authorization?
- 32) Provide all addresses of the present and anticipated physical locations for all of the Applicant's network equipment, data centers, and infrastructure, advise whether they are owned or leased--if leased, provide details of the owner(s) and a list of goods/services the owner(s) provides--and the make and model of the primary equipment used, including, but not be limited to, the portions of the network covered below:
- a) Describe the carrier transport facilities (e.g., T1, DS3, Optical Carrier) that will enable customer data flow into and out of owned and/or leased equipment.
- b) Will the Applicant be operating any physical and/or virtual telecommunications switching platforms (e.g., TDM and/or VoIP switches)?
Yes No
- If yes, provide a network architecture diagram that shows all switches and connection points.
- c) Provide a description of any other intended network equipment and/or proposed infrastructure (e.g., routers, media gateways, multiplexing/cross-connect facilities, signaling devices, data centers, other equipment).
- d) Does the Applicant have a network topology map that shows its Points of Presence (POPs), Network Operation Centers (NOC), and other network elements?
Yes No

If yes, attach to your response.

- e) Is the Applicant or its affiliates or anyone else able to control operations at any POP and/or NOC from any overseas locations?

Yes No

If yes, describe the nature of the foreign-based control, where it is, who has the control, and how?

- 33) Will the Applicant use interconnecting carriers and/or peering relationships?

Yes No

If yes, provide details and list the carriers.

- 34) Will the Applicant rely on underlying carrier(s) to furnish services to its customers and/or resell any services?

Yes No

If yes, provide details and list whose services and what services will be resold.

- 35) In what manner will services be delivered to customers?

- 36) Does/will the Applicant serve any sectors of U.S. critical infrastructure?

Yes No

If yes, check all that apply:

- | | |
|---|---|
| a. <input type="checkbox"/> Defense Industrial Base | i. <input type="checkbox"/> Information Technology |
| b. <input type="checkbox"/> U.S. Intelligence Community | j. <input type="checkbox"/> Chemical |
| c. <input type="checkbox"/> Emergency Services
(i.e., Federal, state, local law enforcement, fire, police) | k. <input type="checkbox"/> Commercial Facilities |
| d. <input type="checkbox"/> Government Facilities
(i.e., Federal, state, local entities) | l. <input type="checkbox"/> Agriculture and Food Supply |
| e. <input type="checkbox"/> Banking and Finance | m. <input type="checkbox"/> Health Care |
| f. <input type="checkbox"/> Nuclear Reactors, Materials, or Waste | n. <input type="checkbox"/> National Monuments |
| g. <input type="checkbox"/> Drinking Water and Water Supply | o. <input type="checkbox"/> Transportation |
| h. <input type="checkbox"/> Energy | p. <input type="checkbox"/> Postal Shipping |
| | q. <input type="checkbox"/> Dams |
| | r. <input type="checkbox"/> Other (explain in detail) |

Section VI: Applicant Services Portfolio Checklist and Reference Questions

Instructions: Check all applicable boxes that reflect the types of telecommunication services the Applicant intends to provide in the United States only. Do not select any services that will be provided outside the United States.

For each checked box: (1) provide a **separate and full explanation** at the end of this questionnaire and (2) answer the Reference Questions below the table regarding the services you have indicated in the checklist.

PROPOSED SERVICES	
VoIP (Voice over Internet Protocol)	<input type="checkbox"/>
POTS (Plain Old Telephone Service)	<input type="checkbox"/>
TDM (Time Division Multiplexing)	<input type="checkbox"/>
Voicemail	<input type="checkbox"/>
PBX (Private Branch Exchange)	<input type="checkbox"/>
Centrex (Hosted/Managed PBX)	<input type="checkbox"/>
Callback Service	<input type="checkbox"/>
Calling Card	<input type="checkbox"/>
Dial Tone Service	<input type="checkbox"/>
Issue DID (Direct Inward Dial) Local Telephone Numbers	<input type="checkbox"/>
Local Exchange Service	<input type="checkbox"/>
Local Toll Service	<input type="checkbox"/>
Domestic/International Long Distance (Interexchange Service)	<input type="checkbox"/>
Tollfree Service	<input type="checkbox"/>
IVR (Interactive Voice Response)	<input type="checkbox"/>
Conference Calling	<input type="checkbox"/>
Operator Service	<input type="checkbox"/>
Directory Assistance	<input type="checkbox"/>
Dial Around Service (1010XXX Casual Calling)	<input type="checkbox"/>
Switched Access	<input type="checkbox"/>
Special Access (Dedicated Line)	<input type="checkbox"/>
Mobile Top Up/Reload Services	<input type="checkbox"/>
Mobile Network Operator Services (MNO)	<input type="checkbox"/>
Mobile Virtual Network Operator Services (MVNO)	<input type="checkbox"/>
Automatic Call Distribution (ACD)	<input type="checkbox"/>
Other	<input type="checkbox"/>
	<input type="checkbox"/>
Data/Private Line	<input type="checkbox"/>
ISP (Internet Service Provider)	<input type="checkbox"/>
VPN (Virtual Private Network)	<input type="checkbox"/>
Web Hosting	<input type="checkbox"/>
LAN (Local Area Network)	<input type="checkbox"/>
WAN (Wide Area Network)	<input type="checkbox"/>
ISDN (Integrated Services Digital Network) BRI (Basic Rate Interface)	<input type="checkbox"/>
ISDN PRI (Primary Rate Interface)	<input type="checkbox"/>
DSL (Digital Subscriber Line)	<input type="checkbox"/>
Frame Relay	<input type="checkbox"/>
Email	<input type="checkbox"/>
International Voice/Data Service	<input type="checkbox"/>
Wireless/Mobile Voice/Data Services	<input type="checkbox"/>
Satellite Services	<input type="checkbox"/>
RF (Radio Frequency), Microwave	<input type="checkbox"/>
Video	<input type="checkbox"/>
Cloud Services	<input type="checkbox"/>
Other	<input type="checkbox"/>
	<input type="checkbox"/>
Routing, Signaling Services	<input type="checkbox"/>

Transport Facilities	<input type="checkbox"/>
Leased Lines	<input type="checkbox"/>
Collocation Services	<input type="checkbox"/>
Other	<input type="checkbox"/>

Reference Questions:

Instructions: Answer each question below as it relates to each of the services selected in the above table.

- 1) In what manner will the service(s) be delivered to your customers?
- 2) What kind of network infrastructure will be utilized to deliver the service(s)?
- 3) What equipment (manufacturer, make and model) and software version will be utilized to provide the service(s)? Will the software be regularly updated?
- 4) Will the service(s) be facilities-based, resold, or both? Describe in detail.
- 5) Are you planning to implement and deploy 5G? If so, describe the plans, approach, anticipated services, and the intended vendors.

WARNING

If an Applicant knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Applicant may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may also terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Applicant Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Applicant, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Appendix B

Standard Questions for an Application for an Assignment or Transfer of Control of an International Section 214 Authorization

Applicants:

FCC File Number(s):

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced application by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the application. After review, the Committee may request additional information, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, when required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the application without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Complete all Sections:** When a “Yes” answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and its security-related practices, and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services the Applicant will be offering should the FCC grant those authorities. Accordingly, in answering the “Section V: Applicants’ Services” questions and “Section VI: Applicant Services Portfolio Checklist and Reference Questions,” the Applicants must file complete and accurate responses and identify all switches, routing equipment, and all services offered in retail markets.
- 2) Response Format:** Uniquely and sequentially Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).
- 3) Identify Sensitive Information:** Specifically identify answers or documents for which a claim of privilege or confidentiality is asserted based on the information containing trade

secrets or commercial or financial information. If there are multiple applicants, each applicant should also clearly mark any answers or documents that contain sensitive information that should not be disclosed to the other applicants. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.

- 4) **Individuals' Names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 5) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working, or shared virtual locations may not be used in lieu of residence addresses.
- 6) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 7) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership, equipment, and Communications Assistance for Law Enforcement Act (CALEA) compliance.
- 8) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the Applicant/Licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the Licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.
 - "Ultimate Owner" and "Ultimate Parent" refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.
 - "Immediate Owner" refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.

- An Entity or Individual with an “Ownership Interest” is any Entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” and the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* controlling interests, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity.
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant/Licensee.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- “Individual” refers to a natural person, as distinguished from an Entity.
- “Managed Services” or “Enterprise Services” refers to the provision of a complete, end-to-end communications solution to customers.
- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the Ultimate Parent/Owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all entities that exist in the ownership structure between the Applicant itself and its Ultimate Parent).
- “Remote Access” is access from a point that is not physically co-located with the Applicant’s network facilities, or that is not at a point within the Applicant’s network.
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Relevant Parties

- 1) Provide the name, address, principal place of business, and place of incorporation of Relevant Parties. For the purposes of the following questions “Relevant Parties” means the following:
 - a) Current International Section 214 Authorization Holder(s) (“**Authorization Holder(s)**”);

- b) Proposed International Section 214 Authorization Holder(s) (“**Proposed Authorization Holder(s)**”);
- c) Any Individual and Entity with an Ownership Interest in the Authorization Holder(s) (“**Owner(s)/Controller(s)**”);
- d) Any Individual or Entity with an Ownership Interest in the Proposed Authorization Holder(s) (“**Proposed Owner(s)/Controller(s)**”):

Section II: Applicants’ Ownership

- 2) Identify each Individual or Entity that holds/will hold an Ownership Interest in the Relevant Parties, specifically identifying any foreign Entities or Foreign Government-controlled entities, including the ultimate parent owner of the Relevant Parties and any other Individuals/Entities holding an Ownership Interest in the chain of ownership.
 - a) For each such Individual or Entity with an Ownership Interest in the Relevant Parties, include a clear explanation of its involvement in the Proposed Authorization Holder(s), including whether it will have a management role; and
 - b) Provide all necessary identifying information, as follows:
 - i) For Individuals, provide the name (including all names and aliases used by that Individual), country of citizenship (indicate whether the Individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. Personally Identifiable Information (PII) may be provided in Appendix G, a PII Supplement.
 - ii) For Entities, provide country of incorporation (if the United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm), all business addresses, email addresses, and related phone numbers.

Section III: Applicant Details

- 3) Do any of the Relevant Parties have existing (or planned) relationships/partnerships (formal or informal), funding or service contracts, directly or indirectly, with any foreign Individuals, foreign companies, Foreign Governments, and/or any Foreign Government-controlled companies?

Yes No

If yes, indicate whether the relationship/partnership includes a management role by any foreign Individuals, foreign companies, or Foreign Governments. Provide the name(s) of the foreign Individuals, foreign companies, and Foreign Governments, and explain the nature of the relationship/partnership, including whether the relationship/partnership currently exists and/or is intended to continue in the future.

4) Identify the total number of current employees, and planned number of employees for each of the Proposed Authorization Holder(s) and Proposed Owner(s)/Controller(s) for the next 12 months.

5) Does the Proposed Authorization Holder(s) and/or the Proposed Owner(s)/Controller(s) currently operate or plan to operate a website?

Yes No

If yes, provide all URL addresses for any current or known future websites and describe whether the information in the website is up to date.

6) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of the Applicant's or its parent's debts, in any jurisdiction over the past 5 years?

Yes No

If yes, describe in detail.

7) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous application to the FCC?

Yes No

If yes, provide the application identifying information.

8) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked/terminated by the FCC?

Yes No

If yes, describe in detail.

9) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous filing to the Committee on Foreign Investment in the United States (CFIUS)?

Yes No

If yes, provide the filing identifying information.

10) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?

Yes No

If yes, describe in detail.

11) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide the details including name(s) of the Individual or Entity involved, dates, offenses, jurisdiction/court, and sentence.

- 12) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, the U.S. Department of State, U.S. Department of the Treasury (including, but not be limited to, the Internal Revenue Service, Office of Foreign Assets Control, Financial Crimes Enforcement Network (FinCEN), or the Office of the Comptroller of the Currency), U.S. Department of Energy, U.S. Department of Commerce, U.S. Federal Trade Commission, U.S. Securities and Exchange Commission, U.S. Environmental Protection Agency, the World Bank Group, or the U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide the details including name(s) of the Individual or Entity involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 13) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, Directors, or any associated foreign entities, ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?

Yes No

If yes, describe in detail, including providing the specific category of list, the name of the Individual or Entity placed on the list, the date the Individual or Entity was placed on the list, and the factual circumstances underlying the reason for the Individual or Entity being placed on the list.

- 14) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been investigated, arraigned, arrested, indicted or convicted of any of the following:

a) Criminal violations of U.S. law, including espionage-related acts or criminal violations of the International Trade in Arms Regulations (ITAR) or the Export Administration Regulations (EAR)?

Yes No

b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to Federal, state, or local law?

Yes No

c) Violations of Federal, state, or local law in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions?

Yes No

If yes to any of the above, describe in detail, including name(s) of the Individual or Entity involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

Section IV: Applicant Operations

- 15)** Have any of the Relevant Parties been operational over the course of the current or previous year?
Yes No

If yes, answer the following:

- a) Provide separately for each Entity for each year the gross revenue.
 - b) Provide separately for each Entity for each year the Cost of Goods Sold (COGS).
 - c) What was the total amount of COGS allocated for telecommunications equipment and service types?
 - d) Describe the customer base of the Authorization Holder(s) and Proposed Authorization Holder(s) (business, residential, carrier, enterprise).
 - e) Describe, for all services provided to each category of customer (e.g., enterprise, residential, carrier, etc.):
 - i. Total number of subscribers;
 - ii. Total annual gross revenue for preceding fiscal year; and
 - iii. Percentage of total gross revenue per category of customer for preceding fiscal year.
- 16)** List all expected and actual Federal, state, and local government customers of the Authorization Holder(s) and the Proposed Authorization Holder(s), including pursuant to any classified contracts, and include a description of all services to be provided, or services that are currently being provided, to such customers.
- 17)** Name the Senior Officers and Directors of the Proposed Authorization Holder(s) and the Proposed Owner(s)/Controller(s) and for each provide the following:
- a) Explain the nature and extent of each Senior Officer's or Director's involvement in the Applicant; and
 - b) Provide the countries of citizenship, date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.
- 18)** Identify the Individual (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Proposed Authorization

Holder(s)'s point of contact for law enforcement concerns, including responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.

- a) Explain the relationship to the Proposed Authorization Holder(s) and provide name, all countries of citizenship, date and place of birth, U.S. social security number (if applicable), all passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.

19) Identify whether, if required by law, regulation, or a license condition, the Proposed Authorization Holder(s) will report to the appropriate law enforcement agencies, immediately upon discovery:

- a) Any act of compromise of a lawful interception of communications?
Yes No
- b) Any unauthorized access to customer information and/or call-identifying information?
Yes No
- c) Any artificially inflated or fraudulent call traffic detected on your network?
Yes No
- d) Any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) conviction, U.S. or foreign, of the Applicant or its officers/directors, or any Individual or Entity Ownership Interest in the Applicant? Yes No
- e) Any act of unlawful electronic surveillance that occurred on its premises or via electronic systems under its control?
Yes No

20) Will the Proposed Authorization Holder(s) store and/or maintain any U.S. communications content, transactional data, call-associated data, billing records or other subscriber information?
Yes No

If yes, answer the following:

- a) Describe the types of records that will be stored.
- b) Provide all addresses of locations where such records will be stored and/or remotely accessed/managed via electronic systems.
- c) If any storage location differs from the Applicant's address, explain the general purpose of the location and its function within the Applicant's business.
- d) If any of the records will be accessible from outside the United States, explain where, how, and who will have access to them.

- e) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.

21) Will any Non-U.S. Individual have access to one or more of the following:

- a) Physical facilities and/or equipment under the Proposed Authorization Holder(s) or Proposed Owner(s)/Controller(s) control?

Yes No

If yes, provide the identity of the Individual (s) and explain the type of access that will be provided.

- b) Customer records, including Customer Proprietary Network Information (CPNI), billing records, and Call Detail Records (CDRs)?

Yes No

If yes, provide the identity of the Individual(s) and explain the type of access and records that will be provided.

- c) Network control, monitoring, and/or auditing features?

Yes No

If yes, explain the type of access that will be provided, and how access will be logged and archived.

- d) Electronic interfaces that allow control and/or monitoring of the infrastructure under the Proposed Authorization Holder(s) or the Proposed Owner(s)/Controller(s)'s control including, but not limited to, access to actual communications content and data?

Yes No

If yes, provide the identity of the Individual(s) and explain the type of access and control that will be provided.

For each Individual identified in response to these questions, provide the following information: name, countries of citizenship, date and place of birth, U.S. alien number and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.

22) What access control/security policies (physical and cyber) are in place, or will be in place prior to commencing operations, for the Proposed Authorization Holder(s) or the Proposed Owner(s)/Controller(s)'s network? If the policies exist and are available in writing, provide copies of these policies.

23) What encryption products/technologies have been installed on these networks or will be installed prior to commencing operations?

24) Does/will the Proposed Authorization Holder(s) or the Proposed Owner(s)/Controller(s) have any screening and/or vetting procedures which will be applied to U.S. or non-U.S. Individuals who have access, remote or otherwise, to communications network facilities, equipment, or data?

Yes No

If yes, explain all such procedures.

- 25) Identify whether, if required by law, regulation, or a license condition, the Proposed Authorization Holder(s) will inform the National Security Division (NSD) of the U.S. Department of Justice if, in the future, any record storage/access location is transferred and/or newly established outside of the United States.

Yes No

- 26) Explain how the Proposed Authorization Holder(s) would make any and all records not stored in the United States electronically available in the United States within 5 business days pursuant to a lawful request to the authorized law enforcement point of contact identified above.

- 27) Describe all lawful intercept capabilities of the Authorization Holder, the Proposed Authorization Holder and/or the Proposed Ownership Interest holders.

- 28) What, if any, outside capabilities via Remote Access will exist within the Proposed Authorization Holder(s) to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring)?

- 29) Do/will any third-party Individual or Entity have Remote Access to the Proposed Authorization Holder(s) network, systems, or records to provide Managed Services?

Yes No

If yes, provide a detailed explanation.

- 30) Do/will any third parties have access to the Applicant's network, systems, or records for any other reason (e.g., sharing subscriber data for marketing purposes)?

Yes No

If yes, provide a detailed explanation.

Section V: Applicants' Services

- 31) Provide a general summary of the nature of the Authorization Holder(s) and Proposed Authorization Holder(s)'s current and planned services and operations, including an explanation of the intended overall business model and its relationship with any sister and/or partner companies.

- 32) Provide all addresses of the present and anticipated physical locations for all of the Proposed Authorization Holder(s) and the Proposed Owner(s)/Controller(s) network equipment, data centers, and infrastructure, whether owned or leased – if leased, provide details of the owners and a list of goods/services the owner provides – and the make and model of the primary equipment used, including, but not be limited to, the portions of the network covered below:

- a) Describe the carrier transport facilities (e.g., T1, DS3, Optical Carrier) that will enable customer data flow into and out of owned and/or leased equipment.

- b) Will the Proposed Authorization Holder(s) be operating any physical and/or virtual telecommunications switching platforms (e.g., TDM and/or VoIP switches)?

Yes No

If yes, provide a network architecture diagram that shows all switches and connection points.

- c) Provide a description of any other intended network equipment and/or proposed infrastructure (e.g., routers, media gateways, multiplexing/cross-connect facilities, signaling devices, other equipment).

- d) Does the Authorization Holder(s) and/or Proposed Authorization Holder(s) have a network topology map that shows its Points of Presence (POPs), Network Operation Centers (NOC), and other network elements?

Yes No

If yes, attach to Response.

- e) Will the Proposed Authorization Holder(s) and the Proposed Owner(s)/Controller(s) or its affiliates be able to control operations at any POP and/or NOC from any overseas locations?

Yes No

If yes, describe the nature of the foreign-based control, where it is, who has the control, and how?

- 33) Will the Proposed Authorization Holder(s) use interconnecting carriers and/or peering relationships?

Yes No

If yes, provide details and list the carriers.

- 34) Will the Proposed Authorization Holder(s) rely on underlying carrier(s) to furnish services to its customers and/or resell any services?

Yes No

If yes, provide details and list whose services and what services will be resold.

- 35) In what manner will services be delivered to customers?

- 36) Does/will the Proposed Authorization Holder(s) serve any sectors of U.S. critical infrastructure?

Yes No

If yes, check all that apply:

- | | |
|--|---|
| a. <input type="checkbox"/> Defense Industrial Base | i. <input type="checkbox"/> Information Technology |
| b. <input type="checkbox"/> U.S. Intelligence Community | j. <input type="checkbox"/> Chemical |
| c. <input type="checkbox"/> Emergency Services
(i.e., Federal, state, local law enforcement,
fire, | k. <input type="checkbox"/> Commercial Facilities |
| | l. <input type="checkbox"/> Agriculture and Food Supply |
| | m. <input type="checkbox"/> Health Care |

- police)
- d. Government Facilities
(i.e., Federal, state, local entities)
- e. Banking and Finance
- f. Nuclear Reactors, Materials, or Waste
- g. Drinking Water and Water Supply
- h. Energy
- n. National Monuments
- o. Transportation
- p. Postal Shipping
- q. Dams
- r. Other (explain in detail)

Section VI: Applicant Services Portfolio Checklist and Reference Questions

Instructions: Check all applicable boxes that reflect the types of telecommunication services the Proposed Authorization Holder(s) intends to provide in the United States only. Do not select any services that will be provided outside the United States.

For each checked box: (1) provide a **separate and full explanation** at the end of this questionnaire and (2) answer the Reference Questions below the table regarding the services you have indicated in the checklist.

PROPOSED SERVICES	
VoIP (Voice over Internet Protocol)	<input type="checkbox"/>
POTS (Plain Old Telephone Service)	<input type="checkbox"/>
TDM (Time Division Multiplexing)	<input type="checkbox"/>
Voicemail	<input type="checkbox"/>
PBX (Private Branch Exchange)	<input type="checkbox"/>
Centrex (Hosted/Managed PBX)	<input type="checkbox"/>
Callback Service	<input type="checkbox"/>
Calling Card	<input type="checkbox"/>
Dial Tone Service	<input type="checkbox"/>
Issue DID (Direct Inward Dial) Local Telephone Numbers	<input type="checkbox"/>
Local Exchange Service	<input type="checkbox"/>
Local Toll Service	<input type="checkbox"/>
Domestic/International Long Distance (Interexchange Service)	<input type="checkbox"/>
Tollfree Service	<input type="checkbox"/>
IVR (Interactive Voice Response)	<input type="checkbox"/>
Conference Calling	<input type="checkbox"/>
Operator Service	<input type="checkbox"/>
Directory Assistance	<input type="checkbox"/>
Dial Around Service (1010XXX Casual Calling)	<input type="checkbox"/>
Switched Access	<input type="checkbox"/>
Special Access (Dedicated Line)	<input type="checkbox"/>
Other	<input type="checkbox"/>
Mobile Top Up/Reload Services	<input type="checkbox"/>
Mobile Network Operator Services (MNO)	<input type="checkbox"/>
Mobile Virtual Network Operator Services (MVNO)	<input type="checkbox"/>
Automatic Call Distribution (ACD)	<input type="checkbox"/>
ISP (Internet Service Provider)	<input type="checkbox"/>
Data/Private Line	<input type="checkbox"/>

VPN (Virtual Private Network)	<input type="checkbox"/>
Web Hosting	<input type="checkbox"/>
LAN (Local Area Network)	<input type="checkbox"/>
WAN (Wide Area Network)	<input type="checkbox"/>
ISDN (Integrated Services Digital Network) BRI (Basic Rate Interface)	<input type="checkbox"/>
ISDN PRI (Primary Rate Interface)	<input type="checkbox"/>
DSL (Digital Subscriber Line)	<input type="checkbox"/>
Frame Relay	<input type="checkbox"/>
Email	<input type="checkbox"/>
International Voice/Data Service	<input type="checkbox"/>
Wireless/Mobile Voice/Data Services	<input type="checkbox"/>
Satellite Services	<input type="checkbox"/>
RF (Radio Frequency), Microwave	<input type="checkbox"/>
Video	<input type="checkbox"/>
Cloud Services	<input type="checkbox"/>
Other	<input type="checkbox"/>
Routing, Signaling Services	
Routing, Signaling Services	<input type="checkbox"/>
Transport Facilities	<input type="checkbox"/>
Leased Lines	<input type="checkbox"/>
Collocation Services	<input type="checkbox"/>
Other	<input type="checkbox"/>

Reference Questions

Instructions: Answer each question below as it relates to each of the services selected in the above table.

- 1) In what manner will the service(s) be delivered to customers?
- 2) What kind of network infrastructure will be utilized to deliver the service(s)?
- 3) What equipment (manufacturer, make, and model) and software version will be utilized to provide the service(s)? Will the software be regularly updated?
- 4) Will the service(s) be facilities-based, resold, or both? Describe in detail.
- 5) Are you planning to implement and deploy 5G? If so, describe the plans, approach, anticipated services, and the intended vendors.

WARNING

If an Applicant knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Applicant may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may also terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Authorization Holder Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Authorization Holder, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Proposed Authorization Holder Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Assignee/Transferee, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Appendix C

Standard Questions for Submarine Cable Landing License Application

Submarine Cable Name:

Applicant(s):

FCC File Number:

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced application by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the application. After review, the Committee may request additional information from you, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, where required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the application without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Complete all Sections:** When a "Yes" answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and its security-related practices, and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services the Applicant will be offering should the FCC grant those authorities.
- 2) Response Format:** Uniquely and sequentially, Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).
- 3) Identify Sensitive Information:** Specifically identify answers or documents for which a claim of privilege or confidentiality is asserted based on the information containing trade

secrets or commercial or financial information. If there are multiple applicants, each applicant should also clearly mark any answers or documents that contain sensitive information that should not be disclosed to the other applicants. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.

- 4) **Individuals' Names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 5) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working, or shared virtual locations may not be used in lieu of residence addresses.
- 6) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 7) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership, equipment, and Communications Assistance for Law Enforcement Act (CALEA) compliance.
- 8) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - "Applicant" shall have the same meaning as the term is defined in 47 CFR 1.767(h).
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the Owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the applicant/licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.
 - "Ultimate Owner" and "Ultimate Parent" refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.
 - "Immediate Owner" refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.

- An Entity or Individual with an “Ownership Interest” is any Entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” and the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* controlling interests, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity.
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant/Licensee.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- “Individual” refers to a natural person, as distinguished from an Entity.
- “Managed Services” or “Enterprise Services” refers to the provision of a complete, end-to-end communications solution to customers.
- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the Ultimate Parent/Owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all Entities that exist in the ownership structure between the Applicant itself and its ultimate parent).
- “Principal Equipment” means the primary components of the Domestic Communications Infrastructure (DCI) and the Wet Plant. Principal Equipment includes: network element servers; routers; switches; repeaters; submarine line terminal equipment (SLTE); system supervisory equipment (SSE); signal modulators and amplifiers; power feed equipment (PFE); tilt and shape equalizer units (TEQ/SEQ); optical distribution frames (ODF); branching units (BU); synchronous optical network (SONET), synchronous digital hierarchy (SDH), wave division multiplexing (WDM), dense wave division multiplexing (DWDM), coarse wave division multiplexing (CWDM), or optical carrier network (OCx) equipment, as applicable; and any non-embedded software necessary for the proper monitoring, administration, and provisioning of the submarine cable system (with the exception of commercial-off-the-shelf (COTS) software used for common business functions, e.g., MS Office).
 - “Domestic Communications Infrastructure” or “DCI” means:
 - (a) any portion of the cable system that physically is located in the United States, up to the submarine line terminating equipment, including (if any)

transmission, switching, bridging, and routing equipment, and any associated software (with the exception of COTS software used for common business functions, e.g., MS Office) used by or on behalf of the Applicant to provide, process, direct, control, supervise, or manage domestic communications; and

- (b) Network Operations Center (NOC) facilities.
- “Wet Plant” means hardware components installed and residing on the undersea portion of the submarine cable system, including fiber optic cables, repeaters, branching units, and routers (if any). Wet Plant includes all the components used in order to define the topology of the undersea portion of the submarine cable system.
- “Remote Access” is access from a point that is not physically co-located with the Applicant’s network facilities, or that is not at a point within the Applicant’s network.
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Applicant(s)

- 1) Provide the name, address, principal place of business, and place of incorporation for each Applicant.

Section II: Applicant(s)' Ownership

- 2) Identify all the Owners of the proposed submarine cable system. If more than one, indicate the ownership percentage.
- 3) Identify each Individual or Entity included as part of the submarine cable system Applicant, specifically identifying any foreign Entities or Foreign Government-controlled Entities, including the Ultimate Parent/Owner of the Applicant and any other Individuals/Entities holding an Ownership Interest in the chain of ownership, including a Controlling Interest in the Applicant.
 - a) For each such Individual or Entity, include a clear explanation of its involvement in the submarine cable system Applicant, including whether it will have a management role.
 - b) For each such Individual or Entity, provide all identifying information, as follows:
 - i) For Individuals, provide the name (including all names and aliases used by that Individual), country of citizenship (indicate whether the Individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G, a PII supplement.
 - ii) For Entities, provide country of incorporation (if United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm, etc.), all business addresses, email addresses, and related phone numbers.
- 4) Provide a detailed ownership structure diagram for each cable Owner.
- 5) Provide the dollar amount that each cable Applicant has invested/will invest in the submarine cable system.
- 6) What is the source of funding for each cable Applicant's investment?
- 7) List all other submarine cable systems in which each cable Applicant or its parents have equity and detail the amount of equity each Applicant holds in each cable system.

Section III: Overview of Submarine Cable System Applicants

- 8) Do any of the submarine cable system Applicants have existing (or planned) relationships/partnerships (formal or informal), funding or service contracts, directly or

indirectly, with any foreign Individuals, foreign Entities, Foreign Governments, and/or any Foreign Government-controlled Entities?

Yes No

If yes, indicate whether the relationship/partnership includes a management role by any foreign Individuals, foreign Entities or Foreign Governments. Provide the name(s) of the foreign Individuals, foreign entities and Foreign Governments and explain the nature of the relationship/partnership, including whether the relationship/partnership currently exists and/or is intended to continue in the future.

- 9) Do the submarine cable system Applicants currently operate or plan to operate a website?

Yes No

If yes, provide all URL addresses for any current or known future websites and describe whether the information in the website is up to date.

- 10) Name each of the Applicant's Senior Officers and Directors and for each provide the following:

(a) Explain the nature and extent of each Senior Officer's or Director's involvement in the Applicant; and

(b) Provide the countries of citizenship, date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G, a PII supplement.

- 11) Has the Applicant or any Individual or Entity included as part of the Applicant been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of the Applicant's and the Individual or Entity's debts, in any jurisdiction over the past 5 years?

Yes No

If yes, describe in detail.

- 12) Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant ever been involved or associated with a previous application to the FCC?

Yes No

If yes, provide the application identifying information.

- 13) Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked/terminated by the FCC?

Yes No

If yes, describe in detail.

- 14)** Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant ever been involved or associated with a previous filing to the Committee on Foreign Investment in the United States (CFIUS)?

Yes No

If yes, provide filing identifying information.

- 15)** Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?

Yes No

If yes, describe in detail.

- 16)** Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant, ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide the details, including name(s) of the Individual and/or Entity involved, dates, offenses, jurisdiction/court, and sentence.

- 17)** Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicant, ever been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, the U.S. Department of State, the U.S. Department of the Treasury (including, but not be limited to, the Internal Revenue Service, the Office of Foreign Assets Control, the Financial Crimes Enforcement Network (FinCEN), and the Office of the Comptroller of the Currency), the U.S. Department of Energy, the U.S. Department of Commerce, the U.S. Federal Trade Commission, the U.S. Securities and Exchange Commission, the U.S. Environmental Protection Agency, the World Bank Group or the U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? Include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual and/or Entity involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 18)** Has the Applicant, any of its Corporate Officers, Senior Officers or Directors, or any associated foreign Entities, ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?

Yes No

If yes, describe in detail, including providing the specific category of list, the name of the Individual or Entity placed on the list, the date the Individual or Entity was placed on the list,

and the factual circumstances underlying the reason for the Individual or Entity being placed on the list.

- 19)** Have any of the submarine cable system Applicants, any of its Corporate Officers, Senior Officers or Directors, or any other Individual or Entity with an Ownership Interest in the Applicants, ever been investigated, arraigned, arrested, indicted, or convicted of any of the following:
- a)** Criminal violations of U.S. law, including espionage-related acts or criminal violations of the International Trade in Arms Regulations (ITAR) or the Export Administration Regulations (EAR)?
Yes No
 - b)** Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to Federal, state, or local law?
Yes No
 - c)** Violations of any laws (Federal, state, or local) in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions?
Yes No

If yes to any of the above, describe in detail, including name(s) of the Individual or Entity involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

Section IV: Submarine Cable System Overview

- 20)** When is the submarine cable system expected to go into service?
- 21)** How many fiber pairs comprise the submarine cable system and what is its design capacity?
- 22)** Identify which Entity owns and/or controls each segment of the cable and which Entity owns or controls which fiber pairs and/or what capacity.
- 23)** Provide a brief description of the operational purpose of the submarine cable system, and the anticipated market segmentation. Provide copies of any Joint Build Agreement, maintenance agreement, or similar document for the submarine cable system, if available.
- 24)** Provide a list of the anticipated addresses or physical locations for all of the submarine equipment, transmission/transport equipment, network equipment and infrastructure, who owns/leases it -- if leased provide details for the Applicant(s) -- information on any party sharing the facility or equipment, and if it is an existing or new facility, including, but not be limited to:
- a)** The NOC (and back-up NOC, if any);
 - b)** All Submarine Cable Landing Stations;
 - c)** All associated data centers and distribution facilities; and
 - d)** All associated Points of Presence.

- 25) List current and anticipated vendors, contractors, or subcontractors involved in providing, installing, operating, managing or maintaining the Principal Equipment. For each Entity, provide country of incorporation, principal place of business, general business type (e.g., holding company, investment firm), all business addresses, and related phone numbers.
- 26) Provide a description of all Principal Equipment, including a list of functions supported and information related to the manufacturer, model, and/or version number of any such equipment.
- 27) List current and anticipated vendors, contractors, or subcontractors involved in providing maintenance and security of the submarine cable system. For each Entity, provide country of incorporation, principal place of business, general business type (e.g., holding company, investment firm), all business addresses, and related phone numbers.
- 28) List all expected and actual Federal, state, and local government customers, including pursuant to any classified contracts, and include a description of all services to be provided, or services that are currently being provided, to such customers.

Section V: Security Overview

- 29) What, if any, outside capabilities via remote access will exist for the submarine cable system Applicants to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring)? If remote access is available, provide a copy of the remote access security policy, if available.
- 30) Will any third-party vendors, associated companies, or Owners have remote access/monitoring to the network, systems, or records to provide managed services? If so, provide additional details, i.e., third party identifying information, role, and reason for their access.
- 31) What access control provisions, physical and logical security policies are in place for your submarine cable system for day-to-day operations and maintenance? If the policies exist and are available in writing, provide copies of these policies.
- 32) Do the submarine cable system Applicants have any screening and/or vetting procedures which will be applied to U.S. or non-U.S. persons (employees, contractors or others) who have access, remote or otherwise, to the submarine cable system Applicants' facilities, equipment, or data?
Yes No
- If yes, provide copies of the written procedures. If these procedures are not available in writing, explain all such procedures in detail.
- 33) What provision will be made to monitor suspicious activity occurring over the paths of the cables?
- 34) Will any Non-U.S. Individual have access to one or more of the following:
- a) Physical facilities and/or Principal Equipment?
Yes No

If yes, provide the identity of person(s) and explain the type of access and records that will be provided.

- b) Network control, monitoring, and/or auditing features, including any NOC facilities?
Yes No

If yes, provide the identity of person(s) and explain the type of access and records that will be provided.

- c) Communications content and data?
Yes No

If yes, provide the identity of person(s) and explain the type of access and records that will be provided

- d) Customer records and billing records?
Yes No

If yes, provide the identity of the Individual(s) and explain the type of access and records that will be provided.

For each Individual identified in response to these questions, provide the following information: name, all countries of citizenship, date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.

- 35) Will the submarine cable system Applicants store and/or maintain any domestic communications content, customer records, or billing records?
Yes No

- a) Describe the types of records that will be stored.
- b) Provide all addresses of locations where such records will be stored and/or remotely accessed/managed via electronic systems.
- c) If any storage location differs from the submarine cable system Applicants' primary business address, explain the general purpose of the location and its function within the cable Applicants' business.
- d) If any of the records will be accessible from outside the United States, explain where, how, and who will have access to them.
- e) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.

- 36) Identify whether, if required by law, regulation, or a license condition, the Applicant(s) will inform the Committee if, in the future, any record storage/access location is transferred and/or newly established outside of the United States.

- 37) Identify an Individual (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Licensee's authorized law enforcement point of contact responsible for accepting and responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.
- a) Explain the Individual's relationship to the Licensee and provide name, all countries of citizenship, date and place of birth, U.S. social security number, all passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.
- 38) Explain how the Applicant(s) would make any and all records not stored in the United States electronically available in the United States within five (5) business days pursuant to a lawful request to the authorized law enforcement point of contact identified above.
- 39) Describe all lawful intercept capabilities of the submarine cable system Applicants including switching platforms, mediation devices, and use of 3rd party service providers for provisioning and delivery.

Section VI: Submarine Cable System Network Overview

40) Provide:

- a) A network topology map or diagram that includes end-to-end physical and logical topology;
- b) Network and telecommunications architecture descriptions and associated descriptions of interconnection points and controlled gateways to the DCI and Wet Plant;
- c) Network operational plans, processes, and procedures; and
- d) Descriptions of interfaces and connections to the cable system for service offload, disaster recovery or administrative functions.

41) Will the Applicant(s) use interconnecting carriers and/or peering relationships?

Yes No

If yes, provide details and list the carriers.

42) Will the submarine cable system Applicants rely on underlying carrier(s) to furnish services to its customers and/or resell any services?

Yes No

If yes, provide details and list whose services will be utilized or resold.

43) Are the submarine cable system Applicants or their affiliates able to control operations at any Point of Presence, data center, and/or NOC from any overseas locations?

Yes No

If yes, what is the nature of the foreign-based control?

- 44) Explain how disaster recovery will be managed, including interconnection mechanisms with other submarine cable landings for restoration in the case of outages due to cable disruptions. Identify any third parties who will be contracted for the restoration/repair of damaged cables. Provide a copy of a restoration plan for the submarine cable system, if available.

Section VII: Submarine Cable System Critical Infrastructure Services

- 45) Will the submarine cable system provide services to any sectors of U.S. critical infrastructure?

Yes No

If yes, check all that apply:

- | | |
|---|---|
| a. <input type="checkbox"/> Defense Industrial Base | i. <input type="checkbox"/> Information Technology |
| b. <input type="checkbox"/> U.S. Intelligence Community | j. <input type="checkbox"/> Chemical |
| c. <input type="checkbox"/> Emergency Services
(i.e., Federal, state, local law enforcement, fire, police) | k. <input type="checkbox"/> Commercial Facilities |
| d. <input type="checkbox"/> Government Facilities
(i.e., Federal, state, local Entities) | l. <input type="checkbox"/> Agriculture and Food Supply |
| e. <input type="checkbox"/> Banking and Finance | m. <input type="checkbox"/> Health Care |
| f. <input type="checkbox"/> Nuclear Reactors, Materials, or Waste | n. <input type="checkbox"/> National Monuments |
| g. <input type="checkbox"/> Drinking Water and Water Supply | o. <input type="checkbox"/> Transportation |
| h. <input type="checkbox"/> Energy | p. <input type="checkbox"/> Postal Shipping |
| | q. <input type="checkbox"/> Dams |
| | r. <input type="checkbox"/> Other (explain in detail) |

- 46) If the submarine cable system provides or will provide services to any sectors of U.S. critical infrastructure, answer the below as it relates to each type of service provided:

- a) Does/will the submarine cable system have any service contracts with Entities in these sectors?
- b) In what manner are/will the service(s) to be delivered to its customers?
- c) What kind of network infrastructure is/will be utilized to deliver the service(s)?
- d) What equipment (manufacturer, make and model) and software version is/will be utilized to provide the service(s)?

WARNING

If an Applicant knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Applicant may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may also terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Applicant Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Applicant _____, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Appendix D

Standard Questions for an Application for Assignment or Transfer of Control of a Submarine Cable Landing License

Submarine Cable Name:

Applicant(s):

FCC File Number(s):

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced application by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the application. After review, the Committee may request additional information from you, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, when required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the application without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Complete all Sections:** When a "Yes" answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and its security-related practices, and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services that the Applicant will be offering should the FCC grant those authorities.
- 2) Response Format:** Uniquely and sequentially Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).

- 3) **Identify Sensitive Information:** Specifically identify answers or documents that you deem to be privileged or confidential as the information contains trade secrets or commercial or financial information. If there are multiple applicants, each applicant should also clearly mark any answers or documents that contain sensitive information that should not be disclosed to the other applicants. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.
- 4) **Individuals' names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 5) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working, or shared virtual locations may not be used in lieu of residence addresses.
- 6) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 7) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership, equipment, and Communications Assistance for Law Enforcement Act (CALEA) compliance.
- 8) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - "Applicant" shall have the same meaning as the term is defined in 47 CFR 1.767(h).
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the Owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the Applicant/Licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the Licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.
 - "Ultimate Owner" and "Ultimate Parent" refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.
 - "Immediate Owner" refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other

words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.

- An Entity or Individual with an “Ownership Interest” is any entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” and the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* controlling interests, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity.
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant/Licensee.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- “Individual” refers to a natural person, as distinguished from an Entity.
- “Managed Services” or “Enterprise Services” refers to the provision of a complete, end-to-end communications solution to customers.
- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the Ultimate Parent/Owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all entities that exist in the ownership structure between the Applicant itself and its Ultimate Parent).
- “Principal Equipment” means the primary components of the Domestic Communications Infrastructure (DCI) and the Wet Plant. Principal Equipment includes: network element servers; routers; switches; repeaters; submarine line terminal equipment (SLTE); system supervisory equipment (SSE); signal modulators and amplifiers; power feed equipment (PFE); tilt and shape equalizer units (TEQ/SEQ); optical distribution frames (ODF); branching units (BU); synchronous optical network (SONET), synchronous digital hierarchy (SDH), wave division multiplexing (WDM), dense wave division multiplexing (DWDM), coarse wave division multiplexing (CWDM), or optical carrier network (OCx) equipment, as applicable; and any non-embedded software necessary for the proper monitoring, administration, and provisioning of the submarine cable system (with the exception of commercial-off-the-shelf (COTS) software used for common business functions, e.g., MS Office).

- “Domestic Communications Infrastructure” or “DCI” means: (a) any portion of the cable system that physically is located in the United States, up to the submarine line terminating equipment, including (if any) transmission, switching, bridging, and routing equipment, and any associated software (with the exception of COTS software used for common business functions, *e.g.*, MS Office) used by or on behalf of the Applicant to provide, process, direct, control, supervise, or manage domestic communications; and (b) Network Operations Center (NOC) facilities.
- “Wet Plant” means hardware components installed and residing on the undersea portion of the submarine cable system, including fiber optic cables, repeaters, branching units, and routers (if any). Wet Plant includes all the components used in order to define the topology of the undersea portion of the submarine cable system.
- “Remote Access” is access from a point that is not physically co-located with the Applicant’s network facilities, or that is not at a point within the Applicant’s network.
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Relevant Parties

- 1) Provide the name, address, principal place of business, and place of incorporation of Relevant Parties. For the purposes of the following questions “Relevant Parties” means the following:
 - a) Current Cable Landing Licensee(s) (“**Licensee(s)**”):
 - b) Any Individual or Entity with an Ownership Interest in the Licensee(s) (“**Owner(s)/Controller(s)**”):
 - c) Assignee(s)/Transferee(s) of the Cable Landing License(s) (“**Proposed Licensee(s)**”):
 - d) Any Individual or Entity with an Ownership Interest in the Proposed Licensee(s) (“**Proposed Owner(s)/Controller(s)**”):

Section II: Applicants’ Ownership

- 2) Identify the current and proposed ownership percentage in the submarine cable system of each of the Relevant Parties.
- 3) Identify each Individual or Entity that holds an Ownership Interest in the Proposed Licensee(s) and the Proposed Owner(s)/Controller(s), highlighting any foreign Entities or Foreign Government-controlled Entities, including the Ultimate Parent/Owner of the Proposed Licensee(s) and any other companies/individuals holding an Ownership Interest in the chain of ownership.
 - a) For each such Individual or Entity with Ownership Interest in Relevant Parties, include a clear explanation of its involvement in the submarine cable system Proposed Licensee(s), including whether it has or will have a management role:
 - b) For each such Individual or Entity with Ownership Interest in Relevant Parties, provide all identifying information, as follows:
 - i) For Individuals, provide name (to include all names and aliases used by that person), country of citizenship (indicate whether the individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers. Personally Identifiable Information (PII) may be provided in Appendix G.
 - ii) For Entities, provide country of incorporation (if United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm, etc.), all business addresses, email addresses and related phone numbers.
- 4) Provide the dollar amount that each Proposed Owner(s)/Controller(s) or Proposed Licensee(s) has/will invest in the submarine cable system.

- 5) What is the source of funding for each Proposed Owner(s)/Controller(s) or Proposed Licensee(s)'s investment?
- 6) Provide a detailed ownership structure diagram for the all Proposed Owner(s)/Controller(s) or Proposed Licensee(s).
- 7) List all other submarine cable systems in which each Proposed Owner(s)/Controller(s) or Proposed Licensee(s) have equity and provide the amount of the equity for each Proposed Owner(s)/Controller(s) or Licensee(s) in each cable system.

Section III: Overview of Submarine Cable Owners

- 8) How many fiber pairs comprise the submarine cable system and what is its design capacity?
- 9) What Entity owns or controls each segment of the cable and what Entities own or control which fiber pairs or what capacity? How will that change after the proposed transaction?
- 10) Do the Relevant Parties currently operate or plan to operate a website?
Yes No

If yes, provide all URL addresses for any current or known future sites and describe whether the information in the website is up to date.

- 11) For each of the Proposed Owner(s)/Controller(s) and Proposed Licensee(s), name the Senior Officers and Directors and provide the following:
 - a) Explain the nature and extent of each Senior Officer's or Director's involvement in the Entity's business; and,
 - b) Provide citizenship (indicate whether the Individual is a dual citizen, list all countries of citizenship), date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers.

- 12) Has the Proposed Licensee been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of the debts of the Proposed Licensee or any Proposed Owner(s)/Controller(s), in any jurisdiction over the past 5 years?
Yes No

If yes, provide details.

- 13) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous application to the FCC?
Yes No
If yes, provide application identifying information.

- 14) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors, ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked/terminated by the FCC?

Yes No

If yes, provide details.

- 15) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous filing to the Committee on Foreign Investment in the United States (CFIUS)?

Yes No

If yes, provide filing identifying information.

- 16) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?

Yes No

If yes, provide details.

- 17) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors, ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual and/or Entity with an Ownership Interest involved, dates, offenses, jurisdiction/court, sentence.

- 18) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, the U.S. Department of State, the U.S. Department of the Treasury (to include, but not be limited to, the Internal Revenue Service, the Office of Foreign Assets Control, the Financial Crimes Enforcement Network (FinCEN), and the Office of the Comptroller of the Currency), the U.S. Department of Energy, the U.S. Department of Commerce, the U.S. Federal Trade Commission, the U.S. Securities and Exchange Commission, the World Bank Group, the U.S. Environmental Protection Agency, or the U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual and/or Entity with an Ownership Interest, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 19) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, Directors, or any associated foreign Entities ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?

Yes No

If yes, provide details.

- 20) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been investigated, arraigned, arrested, indicted, or convicted of any of the following:
- a) Criminal violations of U.S. law, including espionage-related acts or criminal violations of the International Trade in Arms Regulations (ITAR) or the Export Administration Regulations (EAR)?
Yes No
 - b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to Federal, state, or local law?
Yes No
 - c) Violations of any laws (Federal, state, or local) in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions?
Yes No

If yes to any of the above, describe in detail, including name(s) of the Individual and/or Entity with an Ownership Interest involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

- 21) Do any of the present or Proposed Owner(s)/Controller(s) or Proposed Licensee(s) have existing (or planned) relationships/partnerships (formal or informal), funding or service contracts, directly or indirectly, with any foreign individuals, foreign companies, Foreign Governments, and/or any Foreign Government-controlled companies?
Yes No

If yes, indicate whether the relationship/partnership includes a management role by any foreign Individuals, foreign Entities or Foreign Governments. Provide the name(s) of the foreign individuals, foreign Entities and/or Foreign Government and explain the nature of the relationship/partnership, including whether the relationship/partnership currently exists and/or is intended to continue in the future.

Section IV: Submarine Cable System(s) Overview

- 22) When did the submarine cable system(s) first go into service?
- 23) What is the design capacity of the submarine cable system(s)? What is the current lit capacity? Is this expected to change post-transfer? If yes, describe in detail the changes.
- 24) Provide a brief description of the operational purpose of the submarine cable system(s), and the current market segmentation:

Is this expected to change post-transfer? If yes, describe in detail the changes.
- 25) Describe the nature of services delivered by the submarine cable system and the customer base:

Is this expected to change post-transfer? If yes, describe in detail the changes.

26) Provide addresses or physical locations for all of the submarine equipment, transmission/transport equipment, network equipment and infrastructure, who owns/leases it (if leased provide details for the Applicant):

- a) The NOC (and back-up NOC, if any);
- b) All submarine Cable Landing Stations;
- c) All associated data centers and distribution facilities; and
- d) All associated Points of Presence.

Is this expected to change post-transfer? If yes, describe in detail the changes.

27) List current vendors, contractors, or subcontractors involved in operating, managing or maintaining the Principal Equipment. For each Entity, provide country of incorporation, principal place of business, general business type (e.g., holding company, investment firm), all business addresses, and related phone numbers:

Is this expected to change post-transfer? If yes, describe in detail the changes.

28) Provide a description of all Principal Equipment, including a list of functions supported and information related to the manufacturer, model, and/or version number of any such equipment:

Is this expected to change post-transfer? If yes, describe in detail the changes.

29) List current vendors, contractors, or subcontractors involved in maintaining or securing the submarine cable system. For each entity, provide country of incorporation, principal place of business, general business type (e.g., holding company, investment firm), all business addresses, and related phone numbers:

Is this expected to change post-transfer? If yes, describe in detail the changes.

30) List any Federal, state, and local government customers, including pursuant to any classified contracts, and include a description of all services that are currently being provided to such customers:

Is this expected to change post-transfer? If yes, describe in detail the changes.

Section V: Cable System Security Overview

31) What, if any, capability do Owner(s)/Controller(s) and Licensee(s) have to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring) via Remote Access?

If Remote Access is available, provide a copy of the Remote Access security policy, if available.

Is this expected to change post-transfer? If yes, describe in detail the changes.

32) Do/will any third-party vendors, associated companies, or investors have remote access/monitoring to the network, systems, or records to provide managed services? If so,

provide additional details, i.e., who are they, what are their role(s), and why do they need this capability.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 33)** What access control provisions, physical and logical security policies are in place for your submarine cable system for day-to-day operations and maintenance? If the policies exist and are available in writing, provide copies of these policies.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 34)** What provision is in place to monitor suspicious activity occurring over the paths of the cables?

Do the Relevant Parties have any screening and/or vetting procedures which are applied to U.S. or non-U.S. Individuals (employees, contractors or others) who have access, remote or otherwise, to the submarine cable system Owners' facilities, equipment, or data?

Yes No

If yes, provide copies of the written procedures. If these procedures are not available in writing, explain all such procedures in detail.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 35)** Does/will any Non-U.S. Individual have access to one or more of the following:

- a)** Physical facilities and/or Principal Equipment?

Yes No

If yes, provide identity of Individual(s) and explain the type of access provided.

- b)** Network control, monitoring, and/or auditing features, including any NOC facilities?

Yes No

If yes, provide identity of Individual(s) and explain the type of access provided.

- c)** Communications content and data?

Yes No

If yes, provide identity of Individual(s) and explain the type of access provided.

- d)** Customer records and billing records?

Yes No

If yes, provide identity of Individual(s) and explain the type of access and records that will be provided.

Is this expected to change post-transfer? If yes, describe in detail the changes.

For each Individual identified in response to these questions, provide the following information: name, all countries of citizenship, date and place of birth, U.S. alien number

(indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers. PII may be provided in Appendix G.

36) Does/will the submarine cable system Proposed Owner(s)/Controller(s) store and/or maintain any domestic communications content, customer records, or billing records?

Yes No

- a) Describe the types of records that will be stored.
- b) Provide all addresses of locations where such records will be stored and/or remotely accessed/managed via electronic systems.
- c) If any storage location differs from the submarine cable system Owners' primary business address, explain the general purpose of the location and its function within the cable owners' business.
- d) If any of the records will be accessible from outside the United States, explain where, how, and who will have access to them.

Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.

37) Identify whether, if required by law, regulation, or a license condition, the Applicant(s) will inform the Committee if, in the future, any record storage/access location is transferred and/or newly established outside of the United States.

38) Identify an Individual (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Licensee's authorized law enforcement point of contact responsible for accepting and responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.

- a) Explain the Individual's relationship to the Licensee and provide name, all countries of citizenship, date and place of birth, U.S. social security number, all passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.

39) Explain how the Applicant(s) would make any and all records not stored in the United States electronically available in the United States within five (5) business days pursuant to a lawful request to the authorized law enforcement point of contact identified above. PII may be provided in Appendix G.

40) Describe all lawful intercept capabilities of the submarine cable system Owners to include switching platforms, mediation devices, and use of third-party service providers for provisioning and delivery.

Section VI: Submarine Cable System Network Overview

41) Provide:

- a) The most current submarine cable system network diagram/topology map showing all Cable Landing Stations, fiber termination points, Principal Equipment, Point of Presence, segments and branching units;
- b) Network and telecommunications architecture descriptions and associated descriptions of interconnection points and controlled gateways to the DCI and Wet Plant;
- c) Submarine cable system network operational plans, processes, and procedures; and
- d) Descriptions of interfaces and connections to the submarine cable system for service offload, disaster recovery or administrative functions.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 42) Do the submarine cable system Owner(s)/Controller(s) or Licensee(s) use interconnecting carriers and/or peering relationships?

Yes No

If yes, provide details and list the carriers.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 43) Do the submarine cable system Owner(s)/Controller(s) or Licensee(s) rely on underlying carrier(s) to furnish services to its customers and/or resell any services?

Yes No

If yes, provide details and list whose services are utilized or resold.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 44) Are the submarine cable system Owner(s)/Controller(s) or Licensee(s) or their affiliates able to control operations at any Point of Presence, data center, and/or NOC from any overseas locations?

Yes No

If yes, what is the nature of the foreign-based control?

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 45) Explain how disaster recovery is managed, including interconnection mechanisms with other submarine cable systems for restoration in the case of outages due to cable disruptions. Identify any third parties who will be contracted for restoration/repair of damaged cables. Provide a copy of a restoration plan for the submarine cable system, if available.

Is this expected to change post-transfer? If yes, describe in detail the changes.

- 46) Has the cable experienced any outages during its operational history? If so, provide the date, cause and duration of the outage(s).

Section VII: Submarine Cable System Critical Infrastructure Services

47) Does the submarine cable system provide services to any sectors of U.S. critical infrastructure?

Yes No

If yes, check all that apply:

- | | |
|---|--|
| a. <input type="checkbox"/> Defense Industrial Base | i. <input type="checkbox"/> Information Technology |
| b. <input type="checkbox"/> U.S. Intelligence Community | j. <input type="checkbox"/> Chemical |
| c. <input type="checkbox"/> Emergency Services
(i.e., Federal, state, local law enforcement,
fire,
police) | k. <input type="checkbox"/> Commercial Facilities |
| d. <input type="checkbox"/> Government Facilities
(i.e., Federal, state, local entities) | l. <input type="checkbox"/> Agriculture and Food
Supply |
| e. <input type="checkbox"/> Banking and Finance | m. <input type="checkbox"/> Health Care |
| f. <input type="checkbox"/> Nuclear Reactors, Materials, or Waste | n. <input type="checkbox"/> National Monuments |
| g. <input type="checkbox"/> Drinking Water and Water Supply | o. <input type="checkbox"/> Transportation |
| h. <input type="checkbox"/> Energy | p. <input type="checkbox"/> Postal Shipping |
| | q. <input type="checkbox"/> Dams |
| | r. <input type="checkbox"/> Other (explain in detail) |

Is this expected to change post-transfer? If yes, describe in detail the changes.

48) If the submarine cable system provides or will provide services to any sectors of U.S. critical infrastructure, answer each question below as it relates to each type of service provided:

- a) Does/will the submarine cable system have a service contract with any entity in the sector? If so, provide details.
- b) In what manner are/will the service(s) be delivered to its customers?
- c) What kind of network infrastructure is/will be utilized to deliver the service(s)?
- d) What equipment (make & model) and software version is/will be utilized to provide the service(s)?

WARNING

If an Applicant knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Applicant may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may also terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Licensee Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of _____, the License Holder, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Proposed Licensee(s) Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of _____, the Proposed Licensee, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Appendix E

Standard Questions for Section 310(b) Petition for Declaratory Ruling Involving a Broadcast Licensee

Petitioner(s):

FCC File Number(s):

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced Petition by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the Petition. After review, the Committee may request additional information, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, when required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the Petition without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Who Must Respond to this Questionnaire:** A Petitioner that seeks to obtain (a) a section 310(b)(4) foreign ownership ruling in connection with an application for a new broadcast license or (b) a new or modified 310(b)(4) foreign ownership ruling in connection with an application for assignment, transfer of control, or other change in ownership or control of the Licensee must respond to this questionnaire. In the case of (b), a Petitioner must provide information pertaining to the post-transaction ownership, structure, and operations of the Licensee and Relevant Parties. As used in this questionnaire, the term "Licensee" refers to both an Applicant for a broadcast license and an existing licensee.
- 2) Complete all Sections:** When a "Yes" answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and security-related practices and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services the Applicant will be offering should the FCC grant those authorities. Accordingly, in answering the "Section V: Licensee Services" questions, the Applicant(s) must file complete and accurate responses.

- 3) **Response Format:** Uniquely and sequentially Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).
- 4) **Identify Sensitive Information:** Specifically identify answers or documents that you deem to be privileged or confidential as the information contains trade secrets or commercial or financial information. If there are multiple petitioners, each petitioner should also clearly mark any answers or documents that contain sensitive information that should not be disclosed to the other petitioners. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.
- 5) **Individuals' names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 6) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working or shared virtual locations may not be used in lieu of residence addresses.
- 7) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 8) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership and equipment.
- 9) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the Applicant/Licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the Applicant/Licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.

- “Ultimate Owner” and “Ultimate Parent” refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.
- “Immediate Owner” refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.
- An Entity or Individual with an “Ownership Interest” is any entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” to the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* control, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity .
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- The term “Foreign Political Party” includes any organization, or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part, to the establishment, administration, control, or acquisition of, administration, or control, of a government of a foreign country, or a subdivision thereof, or the furtherance, or influencing, of the political, or public, interests, policies, or relations of a government of a foreign country, or a subdivision thereof.
- The term “Foreign Principal” includes:
 - (1) a government of a foreign country and a foreign political party;
 - (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and
 - (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.
- “Individual” refers to a natural person, as distinguished from an Entity.
- The term “Information-service Employee” includes any person who is engaged in furnishing, disseminating, or publishing accounts, descriptions, information, or data with respect to the political, industrial, employment, economic, social, cultural, or other

benefits, advantages, facts, or conditions of any country other than the United States or of any government of a foreign country or of a foreign political party or of a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country.

- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the ultimate parent/owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all entities that exist in the ownership structure between the Applicant itself and its ultimate parent).
- The term “Political Consultant” means any person who engages in informing or advising any other person with reference to the domestic or foreign policies of the United States the political or public interest, policies, or relations of a foreign country or of a Foreign Political Party.
- The term “Publicity Agent” includes any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise.
- The term “Public-Relations Counsel” includes any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any public relations matter pertaining to political or public interests, policies, or relations of such principal. “Remote Access” is access from a point that is not physically co-located with the Applicant’s network facilities, or that is not at a point within the Applicant’s network.
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, Senior Vice President, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Relevant Parties

- 1) Provide the name, address, principal place of business, and place of incorporation of Relevant Parties. For the purposes of the following questions, “Relevant Parties” means the following:
 - a) Proposed Broadcast Licensee (“**Licensee**”);
 - b) Proposed Controlling U.S. Parent of the Licensee (“**Petitioner**”); and
 - c) Any Individual or Entity with an Ownership Interest in either the Licensee or the Petitioner (“**Owner(s)/Controller(s)**”).

Section II: Petitioner/Licensee Ownership

- 2) To the extent not otherwise identified in response to Question 1, identify each Individual or Entity that holds an Ownership Interest in the Relevant Parties specifically identifying any foreign Entities, Foreign Government-controlled Entities, including the Ultimate Parent Entity of the Licensee and Petitioner and any other Individuals or Entities holding an Ownership Interest in the chain of ownership.
 - a) For each Individual or Entity with Ownership Interest in any of the Relevant Parties (identified in response to either Question 1 or Question 2), include a clear explanation of its involvement in the Relevant Party, including whether the Individual or Entity will have a management role in the Petitioner or Licensee.
 - b) For each Individual or Entity with Ownership Interest in any of the Relevant Parties (identified in response to either Question 1 or Question 2), provide all identifying information, as follows:
 - i) For Individuals, provide name (including all names and aliases used by that person), country of citizenship (indicate whether the individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate whether the individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G, a PII Supplement to the Standard Questions.
 - ii) For Entities, provide country of incorporation (if United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm, etc.), all business addresses, email addresses, and related phone numbers.

Section III: Petitioner/Licensee Details

- 3) Do any of the Relevant Parties have existing, planned, or prior relationships, partnerships, funding arrangements, or service contracts, directly or indirectly, with any of the following:
 - a) Foreign companies or foreign Entities;
 - b) Any Foreign Government or any Entity owned or controlled by a Foreign Government;

- c) Any foreign political entities or Foreign Political Parties;
- d) An Individual or Entity outside the United States, not a citizen of, or domiciled within, the United States, or not subject to the jurisdiction of the United States, and not having as a principal place of business or presence in the United States; or
Yes No

If yes to any question above, explain each answer in detail.

If yes, all such parties identified by the Relevant Parties will be referred to as a “Foreign Party.”

- 4) Have any of the Relevant Parties been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of the Relevant Party’s debts in any jurisdiction over the past 5 years?
Yes No

If yes, provide details.

- 5) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous application to the FCC?
Yes No

If yes, provide application identifying information.

- 6) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been involved or associated with a previous filing with the Committee on Foreign Investment in the United States (CFIUS)?
Yes No

If yes, provide filing identifying information.

- 7) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked/terminated by the FCC?
Yes No

If yes, provide details.

- 8) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?
Yes No

If yes, provide details.

- 9) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other

country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual or Entity involved, dates, offenses, jurisdiction/court, and sentence.

- 10) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors ever been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, U.S. Department of State, U.S. Department of the Treasury (including, but not be limited to, the Internal Revenue Service, Office of Foreign Assets Control, Financial Crimes Enforcement Network (FinCEN), or the Office of the Comptroller of the Currency), U.S. Department of Energy, U.S. Department of Commerce, U.S. Federal Trade Commission, U.S. Securities and Exchange Commission, U.S. Environmental Protection Agency, the World Bank Group, or the U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.

Yes No

If yes, provide details, including name(s) of the Individual or Entity involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 11) Have any of the Relevant Parties, any of their Corporate Officers, Senior Officers, or Directors, or any associated foreign Entities ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List, or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?

Yes No

If yes, provide details.

- 12) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers, or Directors, or any Foreign Party ever been investigated, arraigned, arrested, indicted or convicted of any of the following (to include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements):

a) Criminal violations of U.S. law, including espionage-related acts or violations of the Foreign Agents Registration Act (FARA)?

Yes No

b) Deceptive sales practices, violations of the Telemarketing and Consumer Fraud Act and regulations, 15 U.S.C. 6101 *et seq.*, 16 CFR 310.1-310.8, and/or Fraud or Prohibited Practices in Contests in violation of 47 U.S.C. 509, 18 U.S.C. 1304, and/or other fraud or abuse practices whether pursuant to local, state, or federal law?

Yes No

c) Bribery or kickbacks paid in any foreign country, to a foreign official or foreign candidate for any office, in order to establish or enhance business, influence any government decision whether or not related to telecommunications, or to gain access to or advantage over broadcast frequencies or markets, natural resources, telecommunications

markets, or infrastructure, or any other advantage, whether or not such investigation resulted in a conviction, fine, or loss of any license or privilege?

Yes No

If yes to any of the above questions, describe in detail, including name(s) of Individuals and Entities involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

- 13) Is any Relevant Party or Foreign Party registered as an agent under the Foreign Agents Registration Act, 22 U.S.C. 611(c)(10)?**

Yes No

If yes, explain in detail. Should the Relevant Party or Foreign Party, wish to confer with the Foreign Agent Registration Act Unit, National Security Division, United States Department of Justice, to determine whether registration is required, contact the Foreign Investment Review Section.

- 14) Is any Relevant Party or Foreign Party presently engaged in, or anticipate engaging in, any of the following on behalf of a Foreign Principal, foreign country, Foreign Government, or foreign agent of a Foreign Principal?**

- a) Within the United States, engaging in political activities for, or in the interests of, such a Foreign Principal, foreign country, or Foreign Government;
- b) Within the United States, soliciting, collecting, disbursing, or dispensing contribution, loans, money, or other things of value for, or in the interest of, such Foreign Principal, foreign country, or Foreign Government; or
- c) Within the United States, representing the interests of such Foreign Principal, foreign country, or Foreign Government before any agency, or official, of the Government of the United States.

If yes to any question above, explain each answer in detail.

- 15) Is any Relevant Party or Foreign Party presently engaged in, or anticipate engaging in, any of the following on behalf of a Foreign Principal, foreign country, Foreign Government, or foreign agent of a Foreign Principal?**

- a) Undertaking, or directing, an act within the United States as a Publicity Agent or Information-Service Employee for, or in the interests of, such Foreign Principal, foreign country, or Foreign Government; or
- b) Undertaking, or directing, an act within the United States as a Public Relations Counsel or Political Consultant for, or in the interests of, such Foreign Principal, foreign country, or Foreign Government.

If yes to any question above, explain each answer in detail.

- 16) Whether or not the answer to any of the questions above is “yes,” has any Relevant Party or Foreign Party received, or anticipate receiving, any funding from any Foreign Government, or Foreign Political Party, directly or indirectly?**

Yes No

If yes:

- a) Explain the nature of the current/planned relationships with, or funding by, all foreign Entities in detail;
- b) Provide all funding amounts, whether provided directly or indirectly, including amounts itemized and aggregated for the prior ten years; and
- c) Provide copies of any and all contracts, or agreements, with the foreign Entities. If not memorialized in writing, explain the understanding between the Petitioner, or Foreign Party, and the foreign Entity or government.

17) Whether or not the answer to any of the questions above is “yes,” will any Foreign Government or Foreign Political Party, directly or indirectly, have any direction, control, or influence of any activity of any Relevant Party or Foreign Party?

Yes No

If yes to any question above, explain each answer in detail.

18) Identify the Individuals who will be responsible for adhering to the FCC’s political advertising rules and maintaining a Political File pursuant to 47 CFR 73.1943, and describe that Individual’s role with the Relevant Party or Foreign Party.

Provide the responsive information in the chart below:

Responsible Person	Title/Role of the Responsible Person	Applicable TV/Radio Station	Call Sign

19) Will any non-U.S. Individual, owners, or management, including independent or third-party Individuals/Entities of the Relevant Party or Foreign Party have access to one or more of the following:

- a) Physical facilities or equipment under the Relevant Party’s or Foreign Party’s control; or
- b) Electronic interfaces that allow control, or monitoring, of the facilities or infrastructure under the Relevant Party’s or Foreign Party’s control, including access to actual programming content and content distribution.

Yes No

If yes to either (a) or (b), explain the type of access and control that will be provided, and provide the following information:

- i) Full name(s) and alias(es);
- ii) Country(ies) of citizenship (If multiple countries of citizenship, list all countries.);
- iii) Employer name and relationship to either party;
- iv) Date of birth;
- v) Place of birth;
- vi) Social Security Number (SSN) (if applicable);
- vii) U.S. Alien Number (if applicable);
- viii) Passport Number(s) and complete name of country(ies) of issuance (If multiple passports, list all passport numbers and the complete name of the country of issuance.);
- ix) Cellular/mobile phone number(s);
- x) Home phone number(s);
- xi) Email address(es) used (including business and personal);
- xii) Residence address(es);
- xiii) Business address(es); and
- xiv) Business phone number(s).

20) Does the Relevant Party or any Foreign Party have any screening or vetting procedures that will be applied to U.S. or non-U.S. Individuals who have access, remote or otherwise, to communications facilities, broadcast-network facilities, equipment, or data?

Yes No

If yes, explain all such procedures in detail.

21) Does the Relevant Party or any Foreign Party currently operate a website?

Yes No

If yes, provide all URL addresses for any current or known future websites and describe whether the information therein is up to date.

22) Identify the total number of current employees of the Relevant Parties and the total number of planned employees for the next 12 months, and provide the following information:

a) Where are, or will, those employees be located for purposes of work?

- b) Describe the access each category of employee (e.g., Publicity Agent, Information-Service Employee, remote sales force, billing support, executives, technical support, content review, content approval) will have to:
- i) The Licensee's network;
 - ii) The Licensee's business locations;
 - iii) The physical facilities, equipment, or network elements owned, controlled, or leased by the Licensee;
 - iv) Any production facilities, or equipment, whether under the direct control of either the Licensee or under the control of independent third parties tasked or contracted for services; and
 - v) Customer/listener records of any kind, including billing records, listening platform used (e.g., app, online, subscription service), and other listener profile information, such as geolocation information, listening habits, political or national affiliation, and aggregated or compiled data of customers obtained as a result of the provision of services or acquired from third parties for any purpose.

Section IV: Licensee Operations

- 23) Has the Licensee been operational over the course of the current and/or previous year?
Yes No

If yes, provide financial statements and records for the Licensee and Petitioner for the current and preceding year.

- 24) Name each of the Relevant Party's Corporate Officers, Senior Officers, and Directors and for each provide the following:

- a) Explain the nature and extent of each Corporate Officer's, Senior Officer's, and Director's involvement in the Entity's business; and
- b) Provide all countries of citizenship, date and place of birth, U.S. alien number (indicate whether the Individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.

- 25) Identify the Senior Officer or employee (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Licensee's authorized law enforcement point of contact responsible for accepting and responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.

- a) Explain the Individual's relationship to the Licensee and provide name, all countries of citizenship, date and place of birth, U.S. social security number, all passport identifying

information (including number and country), all residence addresses, all business addresses, and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.

- 23)** Provide all U.S. and foreign addresses (complete postal addresses) of the present and anticipated locations of the Relevant Party's and any Foreign Party's:
- a) Facilities, whether owned, leased, used or shared;
 - b) Broadcast locations;
 - c) Editorial locations;
 - d) Data storage locations; and
 - e) Locations where content is reviewed, whether or not content is edited.

Section V: Licensee Services

- 26)** List the types of broadcast licenses held (or applied for) by the Licensee (e.g. radio, television) including the geographic area of service for each type of license.
- 27)** Provide a general summary of the nature of the Licensee's current and planned services and operations, to include an explanation of the Licensee's intended overall business model and its relationship with any sister and/or partner companies.

Explain why the Licensee and/or Petitioner is seeking foreign investment/ownership.

- 28)** Will programming be rebroadcast via satellite or cable?
Yes No

If yes, provide details.

- 29)** Will programming be available online?
Yes No

If yes, describe the streaming business operation (including what platform(s) will be used to make the programming available online).

- 30)** Describe the intended viewer/listener base of the Licensee's broadcasts, primary language spoken of the target audience, and other demographics, including:
- a) An explanation of how services are offered to each category of viewers/listeners and platform; and
 - b) Identification of any specific business or economic sectors that supply advertising or other assistance to either the Licensee, Petitioner, or any Foreign Party.

31) Does any Relevant Party, any Foreign Party, or any of its subsidiaries or parents provide broadcast services of any kind in any foreign country or in the United States?

Yes No

If yes, list all services provided in each country where those services are provided.

32) Does any Relevant Party, any foreign Owner (or its affiliates), or any Foreign Party intend to allow Non-U.S. Individuals, investors, Entities, or governments to provide any influence, direction, control, commentary, or guidance on the content of programming to be broadcast?

a) If yes, does any Relevant Party, any foreign Owner (or its affiliates), or any Foreign Party intend to place any restrictions, or limitations, on how Non-U.S. Individuals, investors, Entities, or governments may influence, direct, control, comment, or guide the content of programming to be broadcast?

b) What, if any, policies, procedures, and protocols does any Relevant Party, any foreign Owner (or its affiliates), or any Foreign Party intend to put in effect to restrict, limit, or prohibit Non-U.S. Individuals, investors, Entities, or governments from providing influence, direction, control, commentary, or guidance on the content of programming to be broadcast?

c) To the extent that any Relevant Party, any foreign Owner (or its affiliates), or any Foreign Party has any such policies, procedures, and protocols in effect now, produce copies of those materials.

33) Indicate whether any Relevant Party, any Foreign Party, or any of its subsidiaries that offer application or web-based content collect, process, or store any U.S. subscriber data. If so, identify what types of data (e.g. name, address, email address, phone number, credit card number, etc.) are collected, processed, or stored for each U.S. subscriber.

a) Indicate where any U.S. subscriber data identified here is stored and who serves as the custodian for such data. Also indicate who has access to such data and whether each individual with access is a U.S. or non-U.S. citizen.

b) If U.S. subscriber data is disclosed/will be disclosed to third parties (service providers, third party advertisers, etc.) please identify which companies it is disclosed to (i.e., company name, address, and business relationship to Licensee)?

i) What U.S. customer data is disclosed?

ii) What, if any, limitations are placed on the third party's use of the data?

iii) What, if any, limitations are placed on third party's further disclosure of the data?

iv) What, if any, data security/storage standards does Licensee require of third parties?

c) Indicate whether any Relevant Party, any Foreign Party, or its subsidiaries have deployed any security measures, protocols, or policies to protect subscriber data identified here from unauthorized access or disclosure. Describe each measure, protocol, or policy in

place to protect U.S. subscriber data. If the measures have been audited, provide the results of the audits.

WARNING

If the Petitioner or Licensee knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Petitioner or Licensee may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Licensee Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Licensee, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Petitioner Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Petitioner, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Appendix F

Standard Questions for Section 310(b) Petition for Declaratory Ruling Involving a Common Carrier Wireless or Common Carrier Earth Station Licensee

Petitioner:**FCC File Number(s):**

Purpose: This list of standard questions solicits the initial information that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) will review in connection with any referral of the above-referenced application by the Federal Communications Commission (FCC) in order to assess any national security and law enforcement concerns raised by the application. After review, the Committee may request additional information, including through tailored questions. The 120-day initial review period will typically start on the date the Chair of the Committee determines that your responses to these standard questions and any tailored questions, when required, are complete. If the Committee determines no tailored questions are necessary, the 120-day initial review period will start no more than 30 days after the FCC's referral, on the date the Committee informs the FCC that the responses to the standard questions are complete and that no tailored questions are required. If you fail to provide timely responses to any Committee requests for information, the Committee may recommend that the FCC dismiss the application without prejudice.

Dissemination of Information: The information received by the Committee pursuant to 47 CFR 1.40003 and any subsequent requests for information by the Committee may be shared and used in accordance with Section 8 of Executive Order 13913 of April 4, 2020, Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, 85 FR 19643 (Apr. 8, 2020).

Instructions

- 1) Who Must Respond to this Questionnaire:** A Petitioner that seeks to obtain (a) a section 310(b)(3) or 310(b)(4) foreign ownership ruling in connection with an application for a new common carrier wireless or common carrier earth station license(s), or (b) a new or modified 310(b)(3) or 310(b)(4) foreign ownership ruling in connection with an application for assignment, transfer of control, or other change in ownership or control of the Licensee must respond to this questionnaire. In the case of (b), a Petitioner must provide information pertaining to the post-transaction ownership, structure, and operations of the Licensee and Relevant Parties. As used in this questionnaire, the term "Licensee" refers to both an Applicant for a common carrier wireless or common carrier earth station license and an existing licensee.
- 2) Complete all Sections:** When a "Yes" answer is indicated, provide further information as appropriate. The questions seek further details regarding the Applicant and security-related practices and some questions are particularly directed at identifying and assessing the complete scope of the equipment that the Applicant will be operating and the services the Applicant will be offering should the FCC grant those authorities.

- 3) **Response Format:** Uniquely and sequentially Bates-number your responses to the standard questions, including any attachments, with an endorsement on each page. The Bates number must be a unique, consistently formatted identifier; the number of digits in the numeric portion of the format should not change in subsequent productions, if any, nor should spaces, hyphens, or other separators be added or deleted. Produce any Excel documents in native format (if desired, you may also produce a PDF version for record keeping purposes).
- 4) **Identify Sensitive Information:** Specifically identify answers or documents for which a claim of privilege or confidentiality is asserted based on the information containing trade secrets or commercial or financial information. If there are multiple applicants, each applicant should also clearly mark any answers or documents that contain sensitive information that should not be disclosed to the other applicants. Personally Identifiable Information (PII) may be submitted in a separate attachment. The PII Supplement is Appendix G.
- 5) **Individuals' names:** For names that follow different naming conventions, such as the use of surnames as first names (e.g., Korean names), or the use of mother's last name as one of two last names that are often hyphenated (e.g., Spanish names), follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, write "Chul-su Kim" in the form. If the name in Spanish is Juan Garcia-Reyes, write "Juan Garcia Reyes."
- 6) **Residential Addresses:** Contract mail receipt locations, post office boxes, co-working or shared virtual locations may not be used in lieu of residence addresses.
- 7) **Business Addresses:** For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.
- 8) **Obligation to Update:** The Applicant must inform the Committee if there is any material change to any of the information provided in the Applicant's responses while the Committee's review is ongoing, including, but not limited to, changes in ownership, equipment, and Communications Assistance for Law Enforcement Act (CALEA) compliance.
- 9) **Definitions** – These terms, as used in this questionnaire, have the following definitions:
 - A "Controlling Interest" is generally a 50% or greater Ownership Interest (either equity or voting). Also, a Controlling Interest shall be determined on a case-by-case basis considering the distribution of ownership, and the relationships of the owners, including family relationships. The term Controlling Interest includes Individuals or Entities with positive or negative *de jure* or *de facto* control of the Applicant/Licensee. *De jure* control includes holding 50% or more of the voting stock of a corporation or holding a general partnership interest in a partnership. Ownership Interests that are held indirectly by any party through one or more intervening corporations may be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain except that if the ownership percentage for an interest in any link in the chain is equal to or exceeds 50% or represents actual control, it may be treated as if it were a 100% interest. *De facto* control is determined on a case-by-case basis. Examples of *de facto*, or actual, control include constituting or appointing 50% or greater of the board of directors

or management committee; having authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the Applicant/Licensee; or playing an integral role in management decisions. In the case of a consortium, each member of the consortium shall be considered to have a Controlling Interest in the consortium.

- “Ultimate Owner” and “Ultimate Parent” refer to the Entity or Individual that ultimately owns and controls the Applicant/Licensee.
- “Immediate Owner” refers to the Entity or Individual in the vertical ownership chain that immediately owns and controls the Applicant/Licensee. In other words, the Immediate Owner is the Entity or Individual in the ownership chain that is closest to the Applicant/Licensee.
- An Entity or Individual with an “Ownership Interest” is any entity in the ownership chain with more than a 5% attributable interest in the Applicant/Licensee, including the “Ultimate Owner/Parent” to the “Immediate Owner,” and all Controlling Interest holders. Note that Controlling Interests include *de facto* control, for which equity and/or voting ownership may be below 5%.
- “Corporate Officer” refers to any Individual hired or appointed by the Entity’s board of directors that has actual or apparent authority to exercise day-to-day management responsibilities over an Entity.
- “Director” refers to any Individual serving on an Applicant’s board of directors or similar governing body organized to set policies for corporate management of or oversight for an Applicant/Licensee.
- “Entity” includes a partnership, association, estate, trust, corporation, limited liability company, consortium, joint venture, governmental authority, or other organization.
- An “Equity Interest Holder” is any Individual or Entity that has the right to receive or the power to direct the receipt of dividends from, or the proceeds from the sale of, a share or other ownership stake in the Applicant/Licensee.
- The term “Foreign Government” includes any person or group of persons exercising sovereign *de facto* or *de jure* political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign *de facto* or *de jure* authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.
- “Individual” refers to a natural person, as distinguished from an Entity.
- A “Non-U.S. Individual” is an Individual who is not a U.S. citizen.
- An “Owner” is an Individual or Entity that holds an Ownership Interest in the Applicant/Licensee.
- An “Ownership Interest” is a 5% or greater equity (non-voting) and/or voting interest, whether directly or indirectly held, or a Controlling Interest in the Applicant, and includes the ownership in the ultimate parent/owner of the Applicant and any other Entity(ies) in the chain of ownership (i.e., all entities that exist in the ownership structure between the Applicant itself and its ultimate parent).
- “Senior Officer” refers to the Chief Executive Officer, President, Chief Financial Officer, Chief Information Officer, Chief Technical Officer, Chief Operating Officer, or any other similarly situated Individual that has actual or apparent authority to act on behalf of the Entity.

Section I: Identification of Relevant Parties

- 1) Provide the name, address, principal place of business, and place of incorporation of Relevant Parties. For the purposes of the following questions “Relevant Parties” means the following:
 - a) Current or Proposed Common Carrier Wireless or Common Carrier Earth Station Licensee (“**Licensee**”)
 - b) Controlling U.S. Parent of the Licensee (“**Petitioner**”)
 - c) Any Individual or Entity with an Ownership Interest in either the Licensee or the Petitioner (“**Owner(s)/Controller(s)**”).

Section II: Petitioner/Licensee Ownership

- 2) To the extent not otherwise identified in response to Question 1, identify each Individual or Entity that holds an Ownership Interest in the Relevant Parties, specifically listing any foreign Entities or Foreign Government-controlled Entities, including the Ultimate Parent Entity of the Licensee and the Petitioner and any other companies/Individuals holding an Ownership Interest in the chain of ownership.
 - a) For each Individual or Entity with Ownership Interest in any of the Relevant Parties (identified in response to either Question 1 or Question 2), include a clear explanation of its involvement in the Relevant Party, including whether the Individual or Entity will have a management role in the Petitioner or Licensee.
 - b) For each Individual or Entity with Ownership Interest in any of the Relevant Parties (identified in response to either Question 1 or Question 2), provide all identifying information, as follows:
 - i) For Individuals, provide name (including all names and aliases used by that person), country of citizenship (indicate whether the Individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (indicate whether the Individual is a U.S. Lawful Permanent Resident) and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G, a PII Supplement to the Standard Questions.
 - ii) For Entities, provide country of incorporation (if United States, include state of incorporation), principal place of business, general business type (e.g., holding company, investment firm, etc.), all business addresses, email addresses, and related phone numbers.

Section III: Petitioner/Licensee Details

- 3) Does any of the Relevant Parties have existing, planned, or prior relationships, partnerships, funding arrangements, or service contracts, directly or indirectly, with any of the following:

- a) Foreign companies or foreign Entities;
- b) Any Foreign Government or any entity owned or controlled by a Foreign Government; or
- c) An Individual or Entity outside the United States, not a citizen of, or domiciled within, the United States, or not subject to the jurisdiction of the United States, and not having as a principal place of business or presence in the United States.
Yes No

If yes to any question above, explain each answer in detail.

- 4) Identify the total number of current employees of the Licensee and the Petitioner, and planned number of employees for the next 12 months.
- 5) Does the Licensee or Petitioner currently operate or plan to operate a website?
Yes No

If yes, provide all URL addresses for any current or known future websites and describe whether the information therein is up to date.

- 6) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or otherwise seeking relief from all or some of their debts in any jurisdiction over the past 5 years?
Yes No

If yes, provide details.

- 7) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been involved or associated with a previous application to the FCC?
Yes No

If yes, provide application identifying information.

- 8) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been involved or associated with a previous filing with the Committee on Foreign Investment in the United States (CFIUS)?
Yes No

If yes, provide filing identifying information.

- 9) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked by the FCC?
Yes No

If yes, provide details.

- 10) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS?
Yes No

If yes, provide details.

- 11) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been convicted of any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) in the United States or any other country? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. Yes No

If yes, , provide details, including name(s) of the Individual or Entity involved, dates, offenses, jurisdiction/court, and sentence.

- 12) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been subject to any criminal, administrative, or civil penalties imposed for violating the regulations of the FCC, U.S. Department of State, U.S. Department of the Treasury (including, but not be limited to, the Internal Revenue Service, Office of Foreign Assets Control, Financial Crimes Enforcement Network (FinCEN), or the Office of the Comptroller of the Currency), U.S. Department of Energy, U.S. Department of Commerce, U.S. Federal Trade Commission, U.S. Securities and Exchange Commission, U.S. Environmental Protection Agency, the World Bank Group, or U.S. Commodity Futures Trading Commission, or for violating the regulations of any comparable state or foreign agency? This includes any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements.
Yes No

If yes, provide details, including name(s) of the Individual or Entity involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

- 13) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors, or any associated foreign Entities ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the BIS Unverified List or Entity List in 15 CFR part 744, or equivalent list of the United Nations Security Council or European Union?
Yes No

If yes, provide details.

- 14) Have any of the Relevant Parties or any of their Corporate Officers, Senior Officers or Directors ever been investigated, arraigned, arrested, indicted, or convicted of any of the following:

- a) Criminal violations of U.S. law, including espionage-related acts or criminal violations of the International Trade in Arms Regulations (ITAR) or the Export Administration Regulations (EAR)?
Yes No
- b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to Federal, state, or local law?

Yes No

- c) Violations of Federal, state, or local law in connection with the provision of telecommunications services, equipment and/or products, and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions?

Yes No

If yes to any of the above, describe in detail, including name(s) of Individuals and entities involved, date(s), and current status or final disposition of matter, including any terms of settlement. Provide any available supporting documentation.

Section IV: Licensee Operations

- 15) Has the Licensee been operational over the course of the current or previous year?

Yes No

If yes, answer the following:

- a) Provide separately for each year its gross revenue;
- b) Provide separately for each year the Cost of Goods Sold (COGS);
- c) Provide the total amount of COGS allocated for telecommunications equipment and service types; and
- d) Describe the customer base of the Licensee (business, residential, carrier, enterprise, etc.). Is this expected to change, and if so, how?; and
- e) Describe, for all services provided to each category of customer (e.g., enterprise, residential, carrier, etc.):
- i) Total number of subscribers;
- ii) Total annual gross revenue for preceding fiscal year; and
- iii) Percentage of total gross revenue per category of customer for preceding fiscal year.
- iv) Is this expected to change, and if so, how?

- 16) List all expected and actual Federal, state, and local government customers, including pursuant to any classified contracts, and include a description of all services to be provided, or services that are currently being provided, to such customers.

- 17) Name each of the Licensee's and Petitioner's Corporate Officers, Senior Officers, and Directors, and for each provide the following:

- a) Explain the nature and extent of each Corporate Officer's, Senior Officer's or Director's involvement in the Entity's business; and

- b) Provide all countries of citizenship, date and place of birth, U.S. alien number and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G.
- 18) Identify the Senior officer or employee (who is a U.S. citizen residing in the United States with an active security clearance or who is eligible to obtain one) who will be the Licensee's authorized law enforcement point of contact responsible for accepting and responding to requests or compulsory processes from U.S. law enforcement or other U.S. government agencies.
- a) Explain the Individual's relationship to the Licensee and provide name, all countries of citizenship, date and place of birth, U.S. social security number, all passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. Also identify whether the Individual has an active U.S. Government security clearance. PII may be provided in Appendix G.
- 19) Identify whether, if required by law, regulation, or license condition, the Licensee will report the following to the appropriate law enforcement agencies, immediately upon discovery:
- a) Any act of compromise of a lawful interception of communications?
Yes No
- b) Any unauthorized access to customer information and/or call-identifying information?
Yes No
- c) Any artificially inflated or fraudulent call traffic detected on your network?
Yes No
- d) Any felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than a year) conviction, U.S. or foreign, of the Licensee, any company officers/directors, or any Individual/company with 5% or greater direct or indirect ownership interest in the Licensee?
Yes No
- e) Any act of unlawful electronic surveillance that occurred on its premises or via electronic systems under its control?
Yes No
- 20) Will the Licensee store and/or maintain any U.S. communications content, transactional data, call-associated data, billing records, or other subscriber information?
Yes No
- If yes, answer the following:
- a) Describe the types of records that will be stored;
- b) Provide all addresses of locations where such records will be stored and/or remotely accessed/managed via electronic systems;

- c) If any storage location differs from the Licensee's address, explain the general purpose of the location and its function within the Licensee's business;
- d) If any of the records will be accessible from outside the United States, explain where, how, and who will have access to them; and
- e) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.

21) Will any Non-U.S. Individual have access to one or more of the following:

- a) Physical facilities and/or equipment under the Licensee's control?

Yes No

If yes, provide identity of person(s) and explain the type of access that will be provided.

- a) Customer records, including Customer Proprietary Network Information (CPNI), billing records, and/or Call Detail Records (CDRs)?

Yes No

If yes, provide identity of person(s) and explain the type of access and records that will be provided.

- b) Network control, monitoring, and/or auditing features?

Yes No

If yes, explain the type of access that will be provided, and how access will be logged and archived.

- c) Electronic interfaces that allow control and/or monitoring of the infrastructure under the Licensee's control, including, but not limited to, access to actual communications content and data?

Yes No

If yes, provide identity of person(s) and explain the type of access and control that will be provided.

For each Individual identified in response to these questions, provide the following information: name, countries of citizenship, date and place of birth, U.S. alien number and/or social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers. PII may be provided in Appendix G, a Supplement to the Standard Questions.

22) What access control/security policies (physical and cyber) are in place, or will be in place prior to commencing operations, for your network? If the policies exist and are available in writing, provide copies of these policies.

23) What encryption products/technologies have been installed on this network, or will be installed prior to commencing operations?

- 24) Does/will the Licensee have any screening and/or vetting procedures which will be applied to U.S. or non-U.S. persons who have access, remote or otherwise, to the Licensee's communications network facilities, equipment, or data?
Yes No

If yes, explain all such procedures.

- 25) Identify whether, if required by law, regulation, or a license condition, the Licensee will inform the National Security Division (NSD) of the U.S. Department of Justice if, in the future, any record storage/access location is transferred and/or newly established outside of the United States.
- 26) Explain how the Licensee, in accordance with U.S. law, regulation, or a license condition, would make any and all records not stored in the United States electronically available in the United States within five (5) business days pursuant to a lawful request to the authorized law enforcement point of contact identified above if such a point of contact is maintained or intended to be maintained.
- 27) Describe all lawful intercept capabilities of the Licensee. Will they be changing, if so, how?
- 28) What, if any, outside capabilities via remote access will exist within the Licensee to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring)? Will they be changing, if so, how?
- 29) Do/will any third-party vendors, associated companies, or Owners have remote access to the Licensee's network, systems, or records to provide managed services?
Yes No

If yes, provide a detailed explanation.

- 30) Do/will any third parties have access, post-transaction, to the Licensee's network, systems, or records for any other reason (e.g., sharing subscriber data for marketing purposes)?
Yes No

If yes, provide a detailed explanation.

Section V: Licensee Services

- 31) List the types of common carrier wireless licenses (e.g. cellular, microwave) and/or common carrier earth station licenses held (or applied for) by the Relevant Parties including the geographic area of service for each type of license.
- 32) Provide a general summary of the nature of the Licensee's current and planned services and operations, to include an explanation of the Licensee's intended overall business model and its relationship with any sister and/or partner companies. Will they be changing, if so, how?
- 33) Why is the Petitioner seeking foreign investment/ownership?
- 34) Provide all addresses of the present and anticipated physical locations for all of the Licensee's network equipment, data centers, and infrastructure (e.g. towers, earth stations).

Will they be changing, if so, how? Advise whether these locations are owned or leased – if leased, provide details of the owner(s) and a list of goods/services the owner(s) provides – and the make and model of the principal equipment used, including, but not be limited to, the portions of the network covered below:

- a) Describe the carrier transport facilities (e.g., T1, DS3, Optical Carrier) that will enable customer data flow into and out of owned and/or leased equipment.
- b) Will the Licensee be operating any physical and/or virtual telecommunications switching platforms (e.g., TDM and/or VoIP switches)?
Yes No

If yes, provide a network architecture diagram that shows all switches and connection points.

- c) Provide a description of any other intended network equipment and/or proposed infrastructure (e.g., routers, media gateways, multiplexing/cross-connect facilities, signaling devices, data centers, other equipment).
- d) Does the Licensee have a network topology map that shows its Points of Presence (POPs), Network Operation Centers (NOC), towers, and other network elements?
Yes No

If yes, attach to your response.

- e) Is the Licensee or its affiliates able to control operations at any POP and/or Network Operations Center (NOC) from any overseas locations?
Yes No

If yes, what is the nature of the foreign-based control? Where is it? Who has it? How? Will it be changing, if so, how?

- 35) Will the Licensee use interconnecting carriers and/or peering relationships?
Yes No

If yes, provide details and list the carriers.

- 36) Will the Licensee rely on underlying carrier(s) to furnish services to its customers and/or resell any services?
Yes No

If yes, provide details and list whose services and what services will be resold.

- 37) In what manner will services be delivered to customers?

- 38) Does/will the Licensee serve any sectors of U.S. critical infrastructure?
Yes No

If yes, check all that apply:

- s. Defense Industrial Base aa. Information Technology

- t. U.S. Intelligence Community
- u. Emergency Services
(i.e., Federal, state, local law enforcement, fire, police)
- v. Government Facilities
(i.e., Federal, state, local entities)
- w. Banking and Finance
- x. Nuclear Reactors, Materials, or Waste
- y. Drinking Water and Water Supply
- z. Energy
- bb. Chemical
- cc. Commercial Facilities
- dd. Agriculture and Food Supply
- ee. Health Care
- ff. National Monuments
- gg. Transportation
- hh. Postal Shipping
- ii. Dams
- jj. Other (explain in detail)

Will this be changing, if so, how?

Section VI: Licensee Services Portfolio Checklist and Reference Questions

Instructions: Check all applicable boxes that reflect the types of telecommunication services the Licensee intends to provide in the United States only. Do not select any services that will be provided outside the United States.

For each checked box: (1) provide a **separate and full explanation** at the end of this questionnaire and (2) answer the Reference Questions below the table regarding the services you have indicated in the checklist.

PROPOSED LICENSEE SERVICES	
VoIP (Voice over Internet Protocol)	<input type="checkbox"/>
POTS (Plain Old Telephone Service)	<input type="checkbox"/>
TDM (Time Division Multiplexing)	<input type="checkbox"/>
Voicemail	<input type="checkbox"/>
PBX (Private Branch Exchange)	<input type="checkbox"/>
Centrex (Hosted/Managed PBX)	<input type="checkbox"/>
Callback Service	<input type="checkbox"/>
Calling Card	<input type="checkbox"/>
Dial Tone Service	<input type="checkbox"/>
Issue DID (Direct Inward Dial) Local Telephone Numbers	<input type="checkbox"/>
Local Exchange Service	<input type="checkbox"/>
Local Toll Service	<input type="checkbox"/>
Domestic/International Long Distance (Interexchange Service)	<input type="checkbox"/>
Tollfree Service	<input type="checkbox"/>
IVR (Interactive Voice Response)	<input type="checkbox"/>
Conference Calling	<input type="checkbox"/>
Operator Service	<input type="checkbox"/>
Directory Assistance	<input type="checkbox"/>
Dial Around Service (1010XXX Casual Calling)	<input type="checkbox"/>
Switched Access	<input type="checkbox"/>
Special Access (Dedicated Line)	<input type="checkbox"/>
Mobile Top Up/Reload Services	<input type="checkbox"/>

Mobile Network Operator Services (MNO)	<input type="checkbox"/>
Mobile Virtual Network Operator Services (MVNO)	<input type="checkbox"/>
Automatic Call Distribution (ACD)	<input type="checkbox"/>
Other	<input type="checkbox"/>
	<input type="checkbox"/>
Data/Private Line	<input type="checkbox"/>
ISP (Internet Service Provider)	<input type="checkbox"/>
VPN (Virtual Private Network)	<input type="checkbox"/>
Web Hosting	<input type="checkbox"/>
LAN (Local Area Network)	<input type="checkbox"/>
WAN (Wide Area Network)	<input type="checkbox"/>
ISDN (Integrated Services Digital Network) BRI (Basic Rate Interface)	<input type="checkbox"/>
ISDN PRI (Primary Rate Interface)	<input type="checkbox"/>
DSL (Digital Subscriber Line)	<input type="checkbox"/>
Frame Relay	<input type="checkbox"/>
Email	<input type="checkbox"/>
International Voice/Data Service	<input type="checkbox"/>
Wireless/Mobile Voice/Data Services	<input type="checkbox"/>
Satellite Services	<input type="checkbox"/>
RF (Radio Frequency), Microwave	<input type="checkbox"/>
Video	<input type="checkbox"/>
Cloud Services	<input type="checkbox"/>
Other	<input type="checkbox"/>
Routing, Signaling Services	<input type="checkbox"/>
Transport Facilities	<input type="checkbox"/>
Leased Lines	<input type="checkbox"/>
Collocation Services	<input type="checkbox"/>
Other	<input type="checkbox"/>

Reference Questions:

Instructions: Answer each question below as it relates to each of the services selected in the above table.

- 1) In what manner will the service(s) be delivered to your customers?
- 2) What kind of network infrastructure will be utilized to deliver the service(s)?
- 3) What equipment (manufacturer, make, and model) and software version will be utilized to provide the service(s)? Will the software be regularly updated?
- 4) Will the service(s) be facilities based, resold, or both? Provide description.
- 5) Are you planning to implement and deploy 5G? If so, describe the plans, approach, anticipated services, and the intended vendors.

WARNING

If the Petitioner or Licensee knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, the Petitioner or Licensee may be subject to prosecution under Title 18, United States Code, Section 1001. The FCC may also terminate, revoke, or render null and void any license or authorization granted in this matter if any responses provided are false or intentionally misleading.

Licensee Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Licensee, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

Petitioner Certification

Pursuant to Title 28, United States Code, Section 1746, I, an authorized representative of the Petitioner, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this _____ day of _____, year of _____.

Representative Name: _____

Representative Title: _____

Representative Signature: _____

[FR Doc. 2021-03410 Filed 3-2-21; 8:45 am]

BILLING CODE 6712-01-C

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 9****[PS Docket Nos. 20-291 and 09-14; FCC 21-25; FRS 17515]****911 Fee Diversion; New and Emerging Technologies 911 Improvement Act of 2008****AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (the FCC or Commission) proposes rules to implement the Don't Break Up the T-Band Act of 2020, which is Section 902 of the Consolidated Appropriations Act, 2021, Division FF, Title IX (Section 902). Section 902 directs the Commission to issue final rules, not later than 180 days after the date of enactment of Section 902, designating the uses of 911 fees by states and taxing jurisdictions that constitute 911 fee diversion for purposes of certain sections of the United States Code, as amended by Section 902. The intended effect of this notice of proposed rulemaking (NPRM) is to propose rules that implement Section 902 and help to identify those uses of 911 fees by states and other jurisdictions that support the provision of 911 services.

DATES: Comments are due on or before March 23, 2021, and reply comments are due on or before April 2, 2021.

ADDRESSES: You may submit comments, identified by PS Docket Nos. 20-291 and 09-14, by any of the following methods:

- *Federal Communications Commission's website:* <https://www.fcc.gov/ecfs/>. Follow the instructions for submitting comments.

- *Mail:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050

Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

FOR FURTHER INFORMATION CONTACT: Brenda Boykin, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (202) 418-2062, Brenda.Boykin@fcc.gov, or John A. Evanoff, Deputy Division Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (202) 418-0848, John.Evanoff@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's notice of proposed rulemaking (NPRM), FCC 21-25, in PS Docket Nos. 20-291 and 09-14, adopted and released on February 17, 2021. The full text of this document is available at <https://www.fcc.gov/edocs/search-results?t=quick&fccdaNo=21-25>.

Initial Paperwork Reduction Act of 1995 Analysis

This notice of proposed rulemaking may contain new or modified information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA). If the Commission adopts any new or modified information collection requirements, they 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 the new or modified information collection requirements contained in this proceeding. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, we seek specific comment on how we might further reduce the information

collection burden for small business concerns with fewer than 25 employees.

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated in the **DATES** section above. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998), <https://transition.fcc.gov/Bureaus/OGC/Orders/1998/fcc98056.pdf>.

The Commission will treat this proceeding as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within 2 business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.