

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Process Reform for Executive Branch Review	)	IB Docket No. 16-155
Of Certain FCC Applications and Petitions	)	
Involving Foreign Ownership	)	

SUPPLEMENTAL COMMENTS OF  
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The National Telecommunications and Information Administration (NTIA), as the President’s principal adviser on telecommunications and information policy, respectfully submits these supplemental comments in the above-captioned proceeding. Specifically, NTIA is filing this pleading on behalf of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (known informally as Team Telecom), which is composed of the Departments of Justice, Defense, and Homeland Security (the Committee, or the Agencies). These comments address issues and questions raised in a public notice issued by the Commission’s International Bureau on April 27, 2020 (Bureau Notice).<sup>1</sup>

In June 2016, the Commission issued a Notice of Proposed Rulemaking (NPRM) to improve the timeliness and transparency of the process involving the referral of certain applications with reportable foreign ownership to Executive Branch agencies for assessment on any national security, law enforcement, foreign policy, or trade policy concerns.<sup>2</sup> In August

---

<sup>1</sup> See *International Bureau Refreshes Record in Executive Branch Review Process Proceeding*, IB Docket No. 16-155, DA 20-452 (rel. Apr. 27, 2020) (*Bureau Notice*), available at <https://ecfsapi.fcc.gov/file/042767335025/DA-20-452A1.pdf>.

<sup>2</sup> *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, Notice of Proposed Rulemaking, 31 FCC Rcd 7456 (2016) (2016 NPRM).

2016, NTIA submitted comments on behalf of the Agencies in response to the NPRM.<sup>3</sup> In September and November 2016, NTIA submitted additional comments on behalf of the Agencies responding to issues raised by other commenters.<sup>4</sup>

On April 4, 2020, the President issued Executive Order 13913 (EO), which formally establishes the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (the “Committee”).<sup>5</sup> The Bureau Notice requests comment on the EO’s potential effects on the proposals in the NPRM.<sup>6</sup> The Agencies submit that the EO strikes the right balance between commenters’ concerns about a timely and efficient review process<sup>7</sup> and the national security and law enforcement considerations that the Committee must weigh during the course of such reviews.<sup>8</sup>

---

<sup>3</sup> Comments of National Telecommunications and Information Administration in IB Docket No. 16-155 (filed Aug. 18, 2016) (NTIA August 2016 Comments), *available at* <https://ecfsapi.fcc.gov/file/10819006022362/Executive%20Branch%20Comments%20on%20IB%20Dkt%20No.%2016-155.pdf>. For convenience, all subsequent citations to Comments or Reply Comments shall refer to pleadings filed in IB Docket No. 16-155.

<sup>4</sup> *Ex Parte* Supplemental Comments of National Telecommunications and Information Administration (filed Nov. 10, 2016) (NTIA November 2016 Comments, *available at* <https://ecfsapi.fcc.gov/file/111098749340/Executive%20Branch%20Supplemental%20Comments.pdf>); Reply Comments of the National Telecommunications and Information Administration Reply (filed Sept. 2, 2016) (NTIA September 2016 Comments”), *available at* <https://ecfsapi.fcc.gov/file/10902899122508/Executive%20Branch%20Reply%20Comments%20in%20IB%20Dkt.%20No.%2016-155.pdf>.

<sup>5</sup> Exec. Order No. 13,913, 85 Fed. Reg. 19,643 (Apr. 4, 2020) (EO).

<sup>6</sup> *See Bureau Notice* at 3.

<sup>7</sup> *See, e.g.,* Reply Comments of BT Americas, Inc., Deutsche Telekom, Inc., Orange Business Services U.S., Inc. and Telefonica Internacional USA, Inc., 3-5 (filed Sept. 2, 2016) (BT, *et al.* Reply), *available at* <https://ecfsapi.fcc.gov/file/1090285252824/BT%20Americas%20et%20al%20Reply%20Comments%20-%20FCC%20IB%2016-155.pdf>; Reply Comments of CTIA Reply, at 3-4 (filed Sept. 2, 2016), <https://ecfsapi.fcc.gov/file/1090260756057/CTIA%20--%20Team%20Telecom%20NPRM%20Reply%20Comments%20as%20filed.pdf>.

<sup>8</sup> *See* NTIA August 2016 Comments, 4.

The EO outlines an interagency process that will complete initial review of an application within 120 days of receiving an applicant's complete responses to initial questions from the Committee, to determine whether granting the application may pose a risk to the national security or law enforcement interests of the United States.<sup>9</sup> If the Committee determines that the application poses such a risk, and that the risk cannot be mitigated through standard mitigation measures, the Committee has an additional 90 days to conduct a secondary assessment and come to a recommendation on the application.<sup>10</sup> These timelines may shift if the applicant fails to provide timely or complete responses to additional questions or proposed mitigation terms.<sup>11</sup> If the Committee recommends denying an application, requiring non-standard mitigation terms, or revoking a license, the Committee will consult with other components of the Executive Branch (known as the Committee Advisors).<sup>12</sup> Throughout the process, the Committee and its Advisors will work to reach consensus on the recommendation to the FCC,<sup>13</sup> but the EO provides mechanisms to reach a coordinated Executive Branch position, even in the absence of consensus.<sup>14</sup> This process will allow the Committee to complete a thorough review in a timely fashion of even the most complex applications.

Some commenters expressed concern in 2016 regarding how the proprietary or personal information disclosed by applicants in the course of reviews will be handled and protected.<sup>15</sup>

---

<sup>9</sup> See *EO* § 5(b), 85 Fed. Reg. at 19,645.

<sup>10</sup> See *id.* § 5(c), 85 Fed. Reg. at 19,645.

<sup>11</sup> See *id.* § 5(d), 85 Fed. Reg. at 19,645.

<sup>12</sup> See *id.* § 9(f), 85 Fed. Reg. at 19,647.

<sup>13</sup> See *id.* § 9(e), (f)(i), 85 Fed. Reg. at 19,647.

<sup>14</sup> *Id.* § 9(e), (f)(iii), (g), 85 Fed. Reg. at 19,647.

<sup>15</sup> See, e.g., Joint Comments of CBS Corp., 21st Century Fox, Inc., Univision Communications Inc. and the National Association of Broadcasters, at 7 (filed Aug. 18, 2016), <https://ecfsapi.fcc.gov/file/108181608706840/Executive%20Branch%20Review%20Comments%20IB%20Docket%20No%20%2016-155%2008-18-16.pdf>; Comments of INCOMPAS, at 14-19 (filed Aug. 18, 2016), *available at*

The Agencies, prior to the Committee's establishment, and consistent with each agency's policies under the Privacy Act,<sup>16</sup> have always strived to protect applicant information with the utmost diligence, and the EO reaffirms this commitment by barring the Committee from publicly disclosing an applicant's proprietary or personal information, except to the extent required by law or as necessary. The EO also permits disclosure of that information to government entities beyond the Committee Members and Advisors in only limited circumstances.<sup>17</sup>

The NPRM also proposed establishing a single Executive Branch agency point-of-contact for the Commission and applicants.<sup>18</sup> The EO designated the Attorney General as Chair of the Committee with exclusive authority to act, and to designate other Committee Members to act, on behalf of the Committee, including communicating with the Commission, applicants, and licensees.<sup>19</sup>

The EO applies to all matters currently under the Agencies' review at the date the President signed it, as well as any matter that the Commission refers to the Committee thereafter. For existing reviews, the Committee will assess all materials already provided by the applicant to the Agencies and will inform the Commission once it deems the application is complete, thereby commencing the 120-day initial review period. The Committee will begin informing the Commission which applications are ready to be reviewed under the 120-day initial review period once the Memorandum of Understanding required under EO 13913 is finalized.<sup>20</sup> For matters currently under review that were previously referred to the Agencies more than two years prior

---

[https://ecfsapi.fcc.gov/file/1081896873783/Comments%20of%20INCOMPAS%20\(IB%2016-155\)%20\(8-18-2016\).pdf](https://ecfsapi.fcc.gov/file/1081896873783/Comments%20of%20INCOMPAS%20(IB%2016-155)%20(8-18-2016).pdf).

<sup>16</sup> 5 U.S.C. § 552a.

<sup>17</sup> *See id.*

<sup>18</sup> *See 2016 NPRM*, 31 FCC Rcd at 7471, ¶ 37.

<sup>19</sup> *See EO* §§ 3(c), 4(b), 85 Fed. Reg. at 19,644-45.

<sup>20</sup> *See id.* §§ 5(b)(iii), 11(c).

to the date of the EO, the Committee will contact the applicants to confirm they are still interested in proceeding with the application process and, if so, afford them the opportunity to update the information available to the Committee. We will recommend that the Commission promptly dismiss without prejudice any applications in which the applicants do not respond to the Committee in a timely manner regarding their continued interest in pursuing their applications.

The EO does not alter the Agencies' views, discussed in previous comments, regarding other important details highlighted by the NPRM that affect the review of certain Commission applications. For example, the Agencies believe the Committee should continue to review the types of applications currently referred by the Commission for all eligible applicants.<sup>21</sup>

The NPRM asked if the Commission should require additional information from applicants with reportable foreign ownership as part of their application to the Commission, and suggests some broad categories of additional information that it might request in an effort to streamline the Agencies' subsequent review process.<sup>22</sup> We agree with the NPRM's proposal to broaden the categories of questions but not to limit the scope of subsequent agency inquiries, as some commenters proposed.<sup>23</sup> The Committee needs to retain the flexibility to ask applicants for

---

<sup>21</sup> See NTIA September 2016 Comments, at 13-14; *see also* Comments of BT Americas, Inc., Deutsche Telekom, Inc., Orange Business Services U.S., Inc. and Telefonica Internacional USA, Inc., at 3-5 (filed Aug. 18, 2016), *available at* [https://ecfsapi.fcc.gov/file/108180785512406/BT\\_Americas\\_et\\_al\\_Comments\\_on\\_TT\\_Reform\\_NPRM.pdf](https://ecfsapi.fcc.gov/file/108180785512406/BT_Americas_et_al_Comments_on_TT_Reform_NPRM.pdf); Comments of CTIA, at 10 (filed Aug. 18, 2016), *available at* <https://ecfsapi.fcc.gov/file/1081852276570/CTIA%20Exec%20Branch%20Review%20Comments.pdf>.

<sup>22</sup> See 2016 NPRM, 31 FCC Rcd at 7463-65, ¶¶ 17-24. *See also* NTIA September 2016 Comments, at 3; NTIA August 2016 Comments, at 3.

<sup>23</sup> See, e.g., Reply Comments of INCOMPAS, at 7 (filed Sept. 2, 2016), *available at* <https://ecfsapi.fcc.gov/file/1090296837130/INCOMPAS%20Reply%20Comments%20on%20Team%20Telecom%20Process%20Reform%2009-2-16.pdf>; BT *et al.* Reply Comments, at 2.

information it judges necessary to address the national security or law enforcement risks related to a particular application, given the dynamic nature of telecommunications and information and communications technology and the potential evolution of national security and law enforcement concerns. We also note that, although a Commission limitation on the scope of Committee inquiries is not warranted, each category of questions the NPRM proposed to add to the Commission's application forms is relevant to the Committee's assessment of whether an application presents national security or law enforcement risks. These categories are the applicant's corporate structure and shareholder information; relationships with foreign entities; financial condition and circumstances; compliance with applicable laws and regulations; and business and operational information, including proposed services and network infrastructure.<sup>24</sup>

We also continue to believe that the Commission should receive and review applications in the first instance. The Commission's proposal to streamline the Committee's review by requesting additional information as part of the application process, as well as the Committee's potential need for any additional information, do not justify changing that practice.<sup>25</sup> Serving as the starting point for applicants is a core administrative function of the Commission, and the Commission is best positioned to determine whether an application meets its threshold requirements, regardless of any additional Committee review that may be necessary.

While the Commission should continue to be the gate-keeper for referrals to the Committee, the process can be streamlined by giving applicants advance notice of some of the information they may be required to provide to the Committee. Accordingly, the Committee has attached sample triage questionnaires to these supplemental comments and requests that the

---

<sup>24</sup> *2016 NPRM*, 31 FCC Rcd at 7463, ¶ 18.

<sup>25</sup> *See* NTIA September 2016 Comments, at 6, 12-13; NTIA August 2016 Comments, at 4.

Commission make them accessible from the Commission’s website.<sup>26</sup> These samples will give prospective applicants the opportunity to review the sample questions and gather the requisite information as they prepare their application to the Commission. After the Commission refers an eligible application to the Committee, the Committee will send the applicant a specifically tailored questionnaire. Though the unique nature of each application means the Committee may request additional information from an applicant before certifying that the application is complete, the availability of sample Committee questions from the Commission’s website will in many cases expedite the Committee’s review of referred applications.

Additionally, despite the concerns of some commenters,<sup>27</sup> the Committee continues to support a Commission rule requiring all applicants to certify that they can and will: (1) comply with applicable provisions of the Communications Assistance for Law Enforcement Act (CALEA),<sup>28</sup> (2) make communications to, from, or within the United States using services covered under the requested Commission license or authorization, as well as records thereof, available in a form and location that facilitates preservation and disclosure to the U.S. government where required by U.S. law, regardless of where those records are stored;<sup>29</sup> and (3)

---

<sup>26</sup> See, e.g., NTIA Letter Regarding Information and Certifications from Applicants and Petitioners for Certain International Authorizations, IB Docket No. 16-155 (filed June 2, 2016), <https://ecfsapi.fcc.gov/file/60002090833.pdf>.

<sup>27</sup> See, e.g., GSMA Reply Comments, at 6-7 (filed Sept. 2, 2016), [https://ecfsapi.fcc.gov/file/109021246414888/GSMA%20Reply%20Comments%20FCC%20IB%2016-155%20\(FINAL\).pdf](https://ecfsapi.fcc.gov/file/109021246414888/GSMA%20Reply%20Comments%20FCC%20IB%2016-155%20(FINAL).pdf); Reply Comments of U.S. TelePacific Corp., at 6 (filed Sept. 2, 2016), available at <https://ecfsapi.fcc.gov/file/1090258666481/U.S.%20TelePacific%20Reply%20Comments%20FILED.pdf>.

<sup>28</sup> 47 U.S.C. §§ 1001-1010.

<sup>29</sup> The Certification would require all companies to store or make accessible in the United States, or in a country whose laws permit disclosure to U.S. authorities, in response to lawful U.S. requests or process, U.S. communications and records for services that require an FCC License or Authorization. This Certification is consistent with the Committee’s efforts in assessing applications to determine whether any recommendation it makes to the FCC requires a

designate a U.S. citizen residing here as a point of contact for the execution of lawful requests and/or legal process. Requiring all applicants to certify and establish the above at the time of the application is in the public interest, within the Commission's regulatory authority, and will help expedite a Committee review process that is often delayed, because it takes time for applicants to make the necessary arrangements for these routine requirements in mitigation agreements. These certifications will ensure that an applicant is able to comply with lawful U.S. requests or legal processes when appropriate. These certifications would not amount to a *de facto* data localization requirement as none of these requirements would preclude an applicant from storing communications or records thereof outside of the United States as long as that information could be made available to satisfy a lawful U.S. request and/or legal process.<sup>30</sup>

Finally, the Agencies note that there are additional questions the FCC should include in its application forms that will allow the Commission and the Committee to identify specific concerns at the outset and improve the efficiency of the Committee's review process. These additional questions include:

---

mitigation agreement to address national security and law enforcement risks. The requirements in the Certification are not affected by the passage of the CLOUD Act, which addresses certain requirements companies may be subject to under separate legal authorities. *See* 18 U.S.C. § 2713 (“A provider of electronic communication service or remote computing service shall comply *with the obligations of this chapter* to preserve, backup, or disclose the contents of a wire or electronic communication and any record or other information pertaining to a customer or subscriber within such provider's possession, custody, or control, regardless of whether such communication, record, or other information is located within or outside of the United States.”) (emphasis added); *see generally* CLOUD Act, Pub. L. No. 115-141, 132 Stat. 1213-1225 (codified as amended in scattered sections of Title 18, United States Code).

<sup>30</sup> *See* NTIA September 2016 Comments, at 8 (expressing Executive Branch support for a notification to applicants that certifying that the United States will have access to records subject to lawful request does not mean all applicant records must be stored in the United States); NTIA August 2016 Comments, at 11.



- Whether the applicant, any investor with five percent or more equity, or any of its senior-level corporate officers have been convicted of a felony (an offense carrying a maximum potential sentence of a term of imprisonment of more than one year) in the United States or its equivalent in a foreign country, or received any finding of a violation, settlement, negotiated resolution, non-prosecution agreement, or deferred prosecution agreement with respect to a felony;
- Whether an applicant, any investor with five percent or more equity, or any of its senior-level corporate officers have previously applied, or been associated with an applicant that previously applied for a Commission license or authorization or been subject to an Executive Branch or Committee review;
- Whether the applicant, any investor with five percent or more equity, or any of its senior-level corporate officers, have been subject to any criminal, administrative, or civil penalties (to include any finding of a violation, settlements, negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements) imposed for violating the regulations of the Commission, the Department of Energy, the Department of the Treasury (including, but not limited to, the Internal Revenue Service, the Office of Foreign Assets Control, the Financial Crimes Enforcement Network, and the Office of the Comptroller of the Currency), the Department of State, the Department of Commerce, the Federal Trade Commission, the Securities and Exchange Commission, the World Bank Group, the Commodities Futures Trading Commission, or the Environmental Protection Agency, or for violating the regulations of any equivalent state or foreign agency;

- Whether the applicant, any investor with five percent or more equity, any of its corporate officers, or any associated foreign entities is now or has ever been on the Specially Designated Nationals And Blocked Persons List (SDN List), the Bureau of Industry and Security (BIS) Unverified List or Entity List in 15 CFR part 744,<sup>31</sup> or equivalent lists of the United Nations Security Council or European Union;
- Whether any third-party vendors, associated companies, or investors will have remote access to the applicant's network, systems, or records to provide managed services; and
- Whether the applicant, any investor with five percent or more equity, or any of its corporate officers, have undergone bankruptcy proceedings in any jurisdiction in the past five years.

---

<sup>31</sup> 15 C.F.R. § 744 (2020).

We appreciate your consideration of these views.

Respectfully submitted,



---

Kathy D. Smith  
Chief Counsel

Douglas Kinkoph  
Associate Administrator,  
Office of Telecommunications and  
Information Applications, Performing  
the Non-Exclusive Functions and Duties  
of the Assistant Secretary of Commerce  
for Communications and Information

Evelyn Remaley, Associate Administrator  
Evan Broderick  
Office of Policy Analysis  
And Development

National Telecommunications and  
Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W.  
Washington, DC 20230

June 19, 2020

Attachments

1. Sample Triage Questions – Cable Landing License
2. Sample Triage Questions – International Section 214 Transfer of Control
3. Sample Triage Questions – New International Section 214
4. Sample Triage Questions – Section 310 Petition

**CABLE LANDING LICENSE**  
**SAMPLE TRIAGE QUESTIONS**

**Section I: Submarine Cable System Overview**

- 1) How many fiber pairs comprise the submarine cable system and what is its design capacity?
- 2) Identify all the owners of the proposed submarine cable system. If more than one, indicate the ownership percentage and/or the number of fiber pairs owned by each member.
- 3) Provide a brief description of the operational purpose of the submarine cable system, and the anticipated market segmentation. Provide a copy of a Joint Build Agreement or similar document for the submarine cable system, if available.
- 4) Identify the anticipated location of the Network Operations Center (“NOC”) and back-up NOC, if any, as well as all submarine cable landing stations (“CLS”). Please indicate whether the NOC and/or the CLS will be housed in an existing or new facility, and include the owner of the facility and/or the landing party.
  - a) Please also identify locations of all data centers and distribution facilities.
- 5) List current and anticipated vendors, contractors, or subcontractors involved in providing, installing, operating, managing or maintaining the Principal Equipment<sup>1</sup> (“PE”). For each

---

<sup>1</sup> For the purposes of this questionnaire “Principal Equipment” means the primary components of the Domestic Communications Infrastructure (“DCI”) and the Wet Infrastructure. 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 Infrastructure means: hardware components installed and residing on the undersea portion of the submarine cable system, including fiber optic cables,

entity, provide country of incorporation/primary place of business, general business type (e.g. holding company, investment firm, etc.), all business addresses, and related phone numbers.

- 6) Provide a description of all PE, including a list of functions supported and information related to the manufacturer, model, and/or version number of any such equipment.
- 7) 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/primary place of business, general business type (e.g. holding company, investment firm, etc.), all business addresses, and related phone numbers.
- 8) Provide addresses of the present and anticipated physical locations for all of the submarine equipment, transmission/transport equipment, network equipment and infrastructure, whether owned or leased, to include the anticipated submarine cable landing station facilities.
- 9) 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 II: Overview of Submarine Cable System Owners**

- 1) Identify each individual or entity, whether direct or indirect, holding or controlling greater than a 5% equity stake in each submarine cable system owner (whether voting or non-voting), highlighting any foreign entities or foreign government-controlled entities. Please be sure to include the ultimate parent owner of each cable owner and any other companies/individuals owning more than a 5% equity stake in the chain of ownership.
  - a) For each such individual or entity, include a clear explanation of involvement in the submarine cable system owner, including whether they will have a management role.
  - b) For each such individual or entity, provide all identifying information, as follows:
    - i) For individuals, provide name (to include all names and aliases used by that person), country of citizenship (indicated whether the individual is a dual citizen and all countries where citizenship is held), date and place of birth, U.S. alien number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers.
    - ii) For entities, provide country of incorporation/primary place of business, general business type (e.g. holding company, investment firm, etc.), all business addresses, and related phone numbers.

---

repeaters, branching units, and routers (if any). Wet Infrastructure includes all the components used in order to define the topology of the undersea portion of the submarine cable system.

- 2) Do any of the submarine cable system owners have existing (or planned) relationships/partnerships (formal or informal) with any foreign companies and/or any foreign government-controlled companies? **Yes**  **No**

If yes, explain the nature of the relationship, including whether the relationship currently exists and/or is intended to continue in the future, and indicate whether the relationship/partnership includes or will include a management role by any foreign companies and/or any foreign government-controlled companies. Provide the name(s) of any individuals associated with such foreign companies and/or foreign government-controlled companies who will serve in a management role.

- 3) Do the submarine cable system owners 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 therein is up to date.

- 4) For each member of the Applicant's senior management team, list the names (where applicable) of the CEO (Chief Executive Officer), President, CFO (Chief Financial Officer), CIO (Chief Information Officer), CTO (Chief Technical Officer), COO (Chief Operating Officer), Senior VPs, and any other positions involved in exercising day-to-day management responsibilities: **(a)** Explain the nature and extent of each senior manager's involvement in the Applicant's business; and **(b)** Provide each senior manager's name (all names and aliases used by the individual), citizenship (indicate whether the individual is a dual citizen, list all countries of citizenship), date and place of birth, U.S. alien number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers.

- 5) Have any of the submarine cable system owners, any owner officers/directors, or any individual/company with 10% or greater ownership interest in the owners, ever been charged with, penalized for, 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 local, state or federal law? **Yes**  **No**

**c)** Violations of any laws (local, state or federal) 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, please describe in detail, including name(s) of company officials and/or company involved, date(s), and current status or final disposition of

matter, including any terms of settlement. Please provide any available supporting documentation.

**Section III: Security Overview**

- 1) What, if any, outside capabilities via remote access will exist for the submarine cable system owners to control operations over the network (e.g., audit mechanisms, record access monitoring)? If remote access is available, please provide a copy of the remote access security policy, if available.
- 2) 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, please provide copies of these policies.
- 3) Do the submarine cable system owners 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 owners' facilities, equipment, or data? **Yes**  **No**   
If yes, please provide copies of the written procedures. If these procedures are not available in writing, please explain all such procedures in detail.
- 4) Will any non-U.S. citizen, including management, have access to one or more of the following:
  - a) Physical facilities and/or Principal Equipment? **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, including any NOC facilities? **Yes**  **No**   
If yes, provide 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 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 identity of person(s) and explain the type of access and records that will be provided.
- 5) Will the submarine cable system owners store and/or maintain any domestic communications content, customer records, or billing records? **Yes**  **No** 
  - a) Describe what types of records 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) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.
- 6) 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 IV: Submarine Cable System Network Overview**

- 1) Please provide:
  - a) A network topology map or diagram that includes physical and logical topology;
  - b) Network and telecommunications architecture descriptions and associated descriptions of interconnection points and controlled gateways to the DCI and Wet Infrastructure;
  - 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
- 2) Will the Applicant use interconnecting carriers and/or peering relationships?  
**Yes**  **No**  If yes, provide details and list the carriers.
- 3) Will the submarine cable system owners 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.
- 4) Are the submarine cable system owners or their affiliates able to control operations at any Point of Presence ("POP"), data center, and/or NOC from any overseas locations? **Yes**  **No**   
 If yes, what is the nature of the foreign-based control?
- 5) 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. Provide a copy of a restoration plan for the submarine cable system, if available.



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

Yes  No  If yes, please 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<br>(i.e., federal, state, local law enforcement, fire, police) | k. <input type="checkbox"/> Commercial Facilities       |
| d. <input type="checkbox"/> Government Facilities<br>(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 (Please explain)      |

**TRANSFER OF CONTROL/ASSIGNMENT OF INTERNATIONAL SECTION 214 AUTHORIZATION**  
**SAMPLE TRIAGE QUESTIONS**

**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) Present International Section 214 Authorization Holder(s) (“**Authorization Holder(s)**”):
  - b) Prospective International Section 214 Authorization Holder(s) (“**Prospective Authorization Holder(s)**”):
  - c) Present Owner(s)/Controller(s) of International Section 214 Authorization Holder(s) (“**Owner(s)/Controller(s)**”):
  - d) Prospective Owner(s)/Controller(s) of International Section 214 Authorization Holder(s) (“**Prospective Owner(s)/Controller(s)**”):

**Section I: Company Details**

- 1) Do any of the Relevant Parties have existing (or planned) relationships/partnerships, funding or service contracts, directly or indirectly, with any foreign companies, foreign governments, and/or any foreign government-controlled companies?

Yes  No

If yes, indicate whether the relationships/partnerships include a management role by any foreign companies or persons. Provide the name(s) of the individuals and foreign companies and explain the nature of the relationships/partnerships, including whether the relationships/partnerships currently exists and/or is intended to continue in the future.

- 2) Identify the total number of current employees, and planned number of employees for the Prospective Authorization Holder(s) and the Prospective Owner(s)/Controller(s) for the next 12 months.
- 3) Will any non-U.S. citizen employee, including management and independent and third party contractors, of the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s) have access to one or more of the following:<sup>1</sup>

---

<sup>1</sup> For each individual identified in response to these questions, please 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. *See also*

- a) Physical facilities and/or equipment under the Prospective Authorization Holder(s) control? **Yes**  **No**  If yes, provide identity of person(s) and explain the type of access that will be provided.
  - b) Customer records, including Customer Proprietary Network Information (CPNI), billing and 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.
  - c) Electronic interfaces that allow control and/or monitoring of the infrastructure under the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s)'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.
- 4) What access control/security policies (physical and cyber) are in place for the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s)'s network? If the policies exist and are available in writing, please provide copies of these policies.
  - 5) What encryption products/technologies have been installed on these networks?
  - 6) Does/will the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s) 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 communications network facilities, equipment, or data? **Yes**  **No**  If yes, explain all such procedures.
  - 7) Does the Prospective Authorization Holder(s) and/or the Prospective 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 company sites and describe whether the information therein is up to date.
  - 8) Identify each individual or entity holding or controlling greater than a 5% equity stake in the Prospective Authorization Holder(s) and the Prospective Owner(s)/Controller(s) (whether voting or non-voting), highlighting any foreign government entities. Please be sure to include the ultimate parent owner of the Prospective Authorization Holder(s) and any other companies/individuals owning more than a 5% equity stake in the chain of ownership:
    - a) For each such individual or entity, include a clear explanation of involvement in the Prospective Authorization Holder(s), including whether they will have a management role; and
    - b) Provide all necessary identifying information, as follows:

---

attached Personally Identifiable Information (PII) supplement with an exemplary format for such identification information that may be used whenever PII is requested.

- i) For individuals, provide name, all countries of citizenship, date and place of birth, U.S. alien number (if applicable), U.S. Social Security Number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses, and all phone numbers.
  - ii) For entities, provide country of incorporation/main place of business, general business type (e.g. holding company, investment firm, etc.), all business addresses, and related phone numbers.
- 9) Has the Prospective Authorization Holder(s) and/or Prospective Owner(s)/Controller(s) 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 debts, in any jurisdiction over the past 5 years?  
Yes  No  If so, please detail.
- 10) Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest<sup>2</sup> in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s) ever been involved or associated with a previous application to the FCC?  
Yes  No  If yes, please provide application identifying information.
- 11) Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s) ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked by the FCC? Yes  No  If yes, please provide details.
- 12) Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s) ever been involved or associated with a previous application to the Committee on Foreign Investment in the United States (CFIUS)? Yes  No  If yes, please provide application identifying information.
- 13) Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s) ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS? Yes  No  If yes, please provide details.
- 14) Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest

---

<sup>2</sup> "Ownership interest" in these questions should include the ultimate parent/owner of the Prospective Authorization Holder(s) and any other companies/individuals in the chain of ownership.

in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s), 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? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. **Yes**  **No**  If yes, please provide details including name(s) of company officials and/or company involved, dates, offenses, jurisdiction/court, sentence.

**15)** Has the Prospective Authorization Holder(s), Prospective Owner(s)/Controller(s), or any company officers/directors or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s), 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 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? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. **Yes**  **No**  If yes, please provide details including name(s) of company officials and/or company involved, dates, violations, agency, penalty, if a fine was imposed, and status of payment.

**16)** Has the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s), any investor with 5% or more ownership interest, any 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, please provide details.

**17)** Has the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s), any company officers/directors, or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or the Prospective Owner(s)/Controller(s), ever been investigated, arraigned, arrested, indicted or convicted of any of the following:

a) Espionage-related acts, or criminal acts including violations of the International Trade in Arms Regulations (ITAR), the Export Administration Regulations (EAR), or other US law? **Yes**  **No**

b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to local, state or federal law? **Yes**  **No**

c) Violations of local, state or federal 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, please describe in detail, including name(s) of company officials and/or company involved, date(s), and current status or final disposition of matter, including any terms of settlement.

## **Section II: Company Operations**

- 1) For each member of the Prospective Authorization Holder(s) and the Prospective Owner(s)/Controller(s)'s senior management team, list the names (where applicable) of the CEO (Chief Executive Officer), President, CFO (Chief Financial Officer), CIO (Chief Information Officer), CTO (Chief Technical Officer), COO (Chief Operating Officer), Senior VPs, and any other positions involved in exercising day-to-day management responsibilities:
  - a) Explain the nature and extent of each senior manager's involvement in the company; and
  - b) Provide each senior manager's name, all countries of citizenship, date and place of birth, U.S. alien number (if applicable), U.S. social security number (if applicable), passport identifying information (including number and country), all residence addresses, all business addresses and all phone numbers.
  
- 2) Identify whether the Prospective Authorization Holder(s) maintains, or intends to maintain, a 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 Prospective 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) If a law enforcement point of contact is maintained, or is intended to be maintained, please explain the relationship to the Prospective 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. Please also identify whether the individual has an active U.S. Government security clearance.
  - b) Identify whether, if required by law, regulation, or a license condition, the Prospective Authorization Holder(s) will report to the appropriate law enforcement agencies, immediately upon discovery:
    - i) Any act of compromise of a lawful interception of communications?  
**Yes**  **No**
    - ii) Any unauthorized access to customer information and/or call-identifying information?  
**Yes**  **No**
    - iii) Any act of unlawful electronic surveillance that occurred on its premises or via electronic systems under its control?

Yes  No

iv) Any artificially inflated or fraudulent call traffic detected on your network?

Yes  No

v) 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 Prospective Authorization Holder(s), any company officers/directors or any individual/company with 5% or greater ownership interest in the Prospective Authorization Holder(s) or Prospective Owner(s)/Controller(s)? Yes  No

3) Describe any and all present and planned lawful intercept capabilities of the Prospective Authorization Holder(s).

4) Have any of the Relevant Parties been operational over the course of the current and previous year? Yes  No

If yes, answer the following:

a) Provide separately for each company for each year the gross revenue.

b) Provide separately for each company 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, 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.

5) List all expected and actual Federal, State, and local government customers of the Authorization Holder(s) and the Prospective 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.

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

- a) If yes, will all such business records, whether in physical or electronic form, and including any Customer Proprietary Network Information (CPNI), be stored in the United States? **Yes**  **No**
  - b) Provide all addresses of locations where such records will be stored. If any such address differs from the company address, explain the relationship between the storage location and the company's business.
  - c) Will any such records be accessible from outside the United States? **Yes**  **No**
  - d) Identify whether, if required by law, regulation, or a license condition, the Prospective Authorization Holder(s) will inform the National Security Division (NSD) of the U.S. Department of Justice if, in the future, any such records will be transferred and/or stored outside the United States. **Yes**  **No**
  - e) Explain how the Prospective Authorization Holder(s), if required by 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.
- 7) Do/will any third party vendors, associated companies, or investors have remote access to the Prospective Authorization Holder(s)'s network, systems, or records to provide managed services? **Yes**  **No**  If yes, please provide details.
  - 8) Describe the customer base of the Authorization Holder(s) and Prospective Authorization Holder(s) (business, residential, carrier, enterprise, etc.).
  - 9) What, if any, outside capabilities via remote access will exist within the Prospective Authorization Holder(s) to control or monitor operations over the network? If any, who will have that access?

**Section III: Company Services**

- 1) Provide a general summary of the nature of the Authorization Holder(s) and Prospective Authorization Holder(s)'s current and planned services and operations, to include an explanation of the intended overall business model and its relationship with any sister and/or partner companies.
- 2) Provide all addresses of the present and anticipated physical locations for all of the Prospective Authorization Holder(s) and the Prospective Owner(s)/Controller(s) network equipment, data centers, and infrastructure, whether owned or leased (if leased, provide details of the owner and a list of goods/services the owner provides), and the make and model of the principal equipment used, to include, but not be limited to, the portions of the network covered below:



- a) Describe the carrier transport facilities (T1, DS3, Optical Carrier) that will enable customer data flow into and out of owned and/or leased equipment.
- b) Will the Prospective Authorization Holder(s) be operating any physical telecommunications switching platforms (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 Prospective 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 Questionnaire.
- e) Will the Prospective Authorization Holder(s) and the Prospective Owner(s)/Controller(s) or its affiliates be 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?
- 3) Will the Prospective Authorization Holder(s) use interconnecting carriers and/or peering relationships? **Yes**  **No**  If yes, please provide details.
- 4) Will the Prospective 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.
- 5) In what manner will services be delivered to customers?
- 6) Does/will the Prospective 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<br>(i.e., federal, state, local law enforcement, fire, police) | k. <input type="checkbox"/> Commercial Facilities       |
| d. <input type="checkbox"/> Government Facilities<br>(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 (Please explain)      |

**Section IV: Services Portfolio Checklist**

**Instructions:** Please check all applicable boxes that reflect the types of telecommunication services the Prospective Authorization Holder(s) intends to provide **in the U.S. only**. **Do not select any services that will be provided outside the U.S.** For each checked box, please provide a **separate** and full explanation at the end of this questionnaire, as well as answer the Reference Questions below the table as they pertain to the services you have indicated in the checklist.

<b>Services Proposed</b>	
<b>VOICE SERVICES</b>	
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"/>
Toll-free 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"/>
<b>INTERNET AND DATA SERVICES</b>	
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"/>

<b>CARRIER / ENTERPRISE WHOLESALE</b>	
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 the services indicated 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.
- 5) Are you planning to implement and deploy 5G? If so please describe plans, approach, anticipated services, and intended vendors.

**INTERNATIONAL SECTION 214 AUTHORIZATION APPLICATION**  
**SAMPLE TRIAGE QUESTIONS**

**Section I: Applicant Company Details**

- 1) Provide the Applicant's name, address, principal place of business, and place of incorporation.
- 2) Does the Applicant have existing (or planned) relationships/partnerships, funding or service contracts, directly or indirectly, with any 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 companies or individuals. Provide the name(s) of the individuals and foreign companies and explain the nature of the relationship, including whether the relationship currently exists and/or is intended to continue in the future.
- 3) Identify the total number of current employees, and planned number of employees for the next 12 months.
- 4) Will any non-U.S. citizen, including management, have access to one or more of the following:<sup>1</sup>
  - a) Physical facilities and/or equipment under the Applicant's control? **Yes**  **No**  If yes, provide identity of person(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 identity of person(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 Applicant'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.

---

<sup>1</sup> For each individual identified in response to these questions, please 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. *See also* attached Personally Identifiable Information (PII) supplement with an exemplary format for such identification information that may be used whenever PII is requested.

- 5) What access control/security policies (physical and cyber) are in place for your network? If the policies exist and are available in writing, please provide copies of these policies.
- 6) What encryption products/technologies have been installed on this network?
- 7) Does the Applicant 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 Applicant's communications network facilities, equipment, or data? Yes  No  If yes, explain all such procedures.
- 8) Does the company currently operate or plan to operate a website? Yes  No  If yes, provide all URL addresses for any current or known future company sites and describe whether the information therein is up to date.
- 9) Identify each individual or entity, whether direct or indirect, holding or controlling greater than a 5% equity stake in the Applicant company (whether voting or non-voting), highlighting any foreign government entities. Please be sure to include the ultimate parent owner of the Applicant and any other companies/individuals owning more than a 5% equity stake in the chain of ownership.
- a) For each such individual or entity, include a clear explanation of involvement in the company, including whether they will have a management role.
- b) For each such individual or entity, provide all identifying information, as follows:
- i) For individuals, provide 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.
- ii) For entities, provide country of incorporation/main place of business, general business type (e.g. holding company, investment firm, etc.), all business addresses, and related phone numbers.
- 10) Has the Applicant or its parent 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 debts, in any jurisdiction over the past 5 years? Yes  No  If so, please provide details.
- 11) Has the Applicant, any company officers/directors, or any individual/company with 5% or greater ownership interest<sup>2</sup> in the Applicant ever been involved or associated with a previous application to the FCC? Yes  No  If yes, please provide application identifying information.

---

<sup>2</sup>“Ownership interest” in these questions should include the ultimate parent/owner of the Applicant and any other companies/individuals in the chain of ownership.

- 12)** Has the Applicant, any company officers/directors, or any individual/company with 5% or greater ownership interest in the Applicant ever been involved or associated with a previous application to the Committee on Foreign Investment in the United States (CFIUS)?  
**Yes**  **No**  If yes, please provide application identifying information.
- 13)** Has the Applicant, any company officers/directors, or any individual/company with 5% or greater ownership interest in the Applicant ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked by the FCC? **Yes**  **No**  If yes, please provide details.
- 14)** Has the Applicant, any company officers/directors, or any individual/company with 5% or greater 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, please provide details.
- 15)** Has the Applicant, any company officers/directors, or any individual/company with 5% or greater 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? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. **Yes**  **No**  If yes, please provide details, including name(s) of company officials and/or company involved, dates, offenses, jurisdiction/court, sentence.
- 16)** Has the Applicant, any company officers/directors, or any individual/company with 5% or greater 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 (to include, 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? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. **Yes**  **No**  If yes, please provide details, including name(s) of company officials and/or company involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.
- 17)** Has the Applicant, any investor with 5% or more equity, 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, please provide details.

**18)** Has the Applicant, any company officers/directors or any individual/company with 5% or greater ownership interest in the Applicant, ever been investigated, arraigned, arrested, indicted or convicted of any of the following:

- a) Espionage-related acts, or criminal acts including violations of the International Trade in Arms Regulations (ITAR), the Export Administration Regulations (EAR), or other US law? **Yes**  **No**
- b) Deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to local, state or federal law?  
**Yes**  **No**
- c) Violations of local, state or federal 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, please describe in detail, including name(s) of company officials and/or company involved, date(s), and current status or final disposition of matter, including any terms of settlement.

**Section II: Applicant Company Operations**

**1)** Has the company been operational over the course of the current and 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, for all services provided to each category of customer (e.g. enterprise, residential, carrier, etc.):
  - (1) Total number of subscribers;
  - (2) Total annual gross revenue for preceding fiscal year;
  - (3) Percentage of total gross revenue per category of customer for preceding fiscal year.

**2)** 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.

- 3) Describe the customer base of the Applicant company (business, residential, carrier, enterprise, etc.).
- 4) For each member of the Applicant's senior management team, list the names (where applicable) of the CEO (Chief Executive Officer), President, CFO (Chief Financial Officer), CIO (Chief Information Officer), CTO (Chief Technical Officer), COO (Chief Operating Officer), Senior VPs, and any other positions involved in exercising day-to-day management responsibilities:
- a) Explain the nature and extent of each senior manager's involvement in the company; and
  - b) Provide each senior manager's name, 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.
- 5) Identify whether the Applicant maintains, or intends to maintain, a 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) If a law enforcement point of contact is maintained, or is intended to be maintained, please 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. Please also identify whether the individual has an active U.S. Government security clearance.
- 6) 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, any company officers/directors, or any individual/company with 5% or greater 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**
- 7) 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, please answer the following:
- a) Describe what types of records 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.
  - c) If the records will be accessible from outside the United States, explain where, how, and who will have access to them.
  - d) Describe all physical/electronic security measures utilized for all locations/systems to protect the confidentiality of records.
- 8) 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.
- 9) Explain how the Applicant, if required by 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.
- 10) Describe all lawful intercept capabilities of the Applicant company.
- 11) What, if any, outside capabilities via remote access will exist within the Applicant company to control or monitor operations over the network (e.g., audit mechanisms, record access monitoring)?
- 12) Do/will any third party vendors, associated companies, or investors have remote access to the Applicant's network, systems, or records to provide managed services? **Yes**  **No**  If yes, please detail.

### **Section III: Applicant Company Services**

- 1) Provide a general summary of the nature of the Applicant's current and planned services and operations, to include an explanation of the Applicant's intended overall business model and its relationship with any sister and/or partner companies.
- 2) Why is the Applicant seeking an FCC Authorization?
- 3) 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 and a list of goods/services the owner provides), and the make and model of the principal equipment used, to include, but not be limited to, the portions of the network covered below:
  - a) Describe the carrier transport facilities (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 telecommunications switching platforms (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 Questionnaire.
  - e) Is the Applicant 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?
- 4) Will the Applicant company use interconnecting carriers and/or peering relationships? **Yes**  **No**  If yes, provide details and list the carriers.
- 5) 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.
- 6) In what manner will services be delivered to customers?
- 7) Does 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	h. <input type="checkbox"/> Energy
b. <input type="checkbox"/> U.S. Intelligence Community	i. <input type="checkbox"/> Information Technology
c. <input type="checkbox"/> Emergency Services	j. <input type="checkbox"/> Chemical

- (i.e., federal, state, local law enforcement, fire, 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
- k.  Commercial Facilities
- l.  Agriculture and Food Supply
- m.  Health Care
- n.  National Monuments
- o.  Transportation
- p.  Postal Shipping
- q.  Dams
- r.  Other (Please explain)

**Section IV: Applicant Company Services Portfolio Checklist**

**Instructions:** Please check all applicable boxes that reflect the types of telecommunication services the Applicant intends to provide **in the U.S. only**. **Do not select any services that will be provided outside the U.S.** For each checked box, please provide a **separate** and full explanation at the end of this questionnaire, as well as answer the Reference Questions below the table as they pertain to the services you have indicated in the checklist.

<b>Proposed Applicant Services</b>	
<b>VOICE SERVICES</b>	
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"/>
Toll-free 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"/>
<b>INTERNET AND DATA SERVICES</b>	<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"/>
<b>CARRIER / ENTERPRISE WHOLESALE SERVICES</b>	
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 the services indicated 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? Please describe.
- 5) Are you planning to implement and deploy 5G? If so please describe plans, approach, anticipated services, and intended vendors.

**SECTION 310 PETITION FOR DECLARATORY RULING**  
**SAMPLE TRIAGE QUESTIONS**

1. Please provide the Petitioner’s name, address, principal place of business, and place(s) of incorporation.
  
2. Does the Petitioner have existing, planned, or prior relationships, partnerships, 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;<sup>1</sup>
  
  - (d) A person 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 a presence in the United States; or
  
  - (e) 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.

If yes to any question above, explain each answer in detail (if yes, all such parties identified by the Petitioner will be referred to as a “Party”).

3. Is the Petitioner, or any Party, registered as an agent under the Foreign Agents Registration Act (22 U.S.C. § 611(c)(10))? If yes, explain in detail.<sup>2</sup>

---

<sup>1</sup> As used herein, 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.

<sup>2</sup> Should the Petitioner, or a 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, please contact the Foreign Investment Review Section.

4. Is the Petitioner, or Party, presently engaged in, or anticipate engaging in, any of the following on behalf of a foreign principal,<sup>3</sup> foreign country, foreign government,<sup>4</sup> or foreign agent of a foreign principal?
- (a) Engaging within the United States 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 contributions, 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.

5. Is the Petitioner, or 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?

---

<sup>3</sup> As used herein, 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

<sup>4</sup> As used herein, the term “government of a foreign country” 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.

- (a) Undertaking, or directing, an act within the United States as a publicity agent<sup>5</sup> or information-service employee<sup>6</sup> for, or in the interests of, such foreign principal, foreign country, or foreign government;
- (b) Undertaking, or directing, an act within the United States as a public relations counsel<sup>7</sup> or political consultant<sup>8</sup> 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.

- 6. Whether or not the answer to any of the questions above is “yes,” has either the Petitioner, or any Party, received, or anticipate receiving, any funding from any foreign government, or foreign political party, directly or indirectly?

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

---

<sup>5</sup> As used herein, 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.

<sup>6</sup> As used herein, 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.

<sup>7</sup> As used herein, 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.

<sup>8</sup> As used herein, 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 or the political or public interest, policies, or relations of a foreign country or of a foreign political party.

(c) Provide copies of any and all contracts, or agreements, with the foreign entities, or, if not memorialized in writing, explain the understanding between the Petitioner, or Party, and the foreign entity, or government.

7. 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 the Petitioner or Party?

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

8. Identify the persons 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 person’s role with the Petitioner or Party.

(a) Provide the responsive information in the chart below:

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

9. Will any non-U.S. citizen employee, owners, or management, including independent or third party contractors, of either the Petitioner, or any Party, have access to one or more of the following:

(a) Physical facilities or equipment under the Petitioner’s or Party’s control?

(b) Electronic interfaces that allow control, or monitoring, of the facilities, or infrastructure, under the Petitioner’s or Party’s control, including access to actual programming content and content distribution?

(c) 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):<sup>9</sup>

---

<sup>9</sup> 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), please follow standard English convention for purposes of completing this information. For example, if the name is Kim Chul-su, please write “Chul-su



- ii. Country(ies) of citizenship(s): <sup>10</sup>
- 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)<sup>11</sup> and complete name of country(ies) of issuance: <sup>12</sup>
- 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): <sup>13</sup>
- xiv. Business phone number(s):

10. Does the Petitioner, or Party, have any screening or vetting procedures that will be applied to U.S. or non-U.S persons who have access, remote or otherwise, to communications facilities, broadcast-network facilities, equipment, or data?

If yes, explain in detail all such procedures.

---

Kim” in the form. If the name in Spanish is Juan Garcia-Reyes, please write “Juan Garcia Reyes.”

<sup>10</sup> If multiple countries of citizenship, list all countries.

<sup>11</sup> If multiple passports, list all passport numbers and the complete name of the country of issuance.

<sup>12</sup> Contract mail receipt locations, post office boxes, co-working or shared virtual locations may not be used in lieu of residence addresses.

<sup>13</sup> For each business address, clearly indicate whether the address is a shared business venue, co-working location, virtual office, or traditional physical office.

11. Does either the Petitioner, or any Party, currently operate a website?

If yes, provide all URL addresses for those sites and describe whether the information therein is up to date.

12. Identify the total number of current employees of the Petitioner, and any Party, and the total number of planned employees of the Petitioner, and any Party, for the next 24 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 Petitioner’s, or Party’s, network;
- ii. The Petitioner’s, or Party’s, business locations;
- iii. The physical facilities, equipment, or network elements owned, controlled, or leased by the Petitioner, or Party;
- iv. Any production facilities, or equipment, whether under the direct control of either the Petitioner, or Party, 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”), other listener profile information, including geolocation information, listening habits, political or national affiliation, aggregated or compiled data of customers obtained as a result of the provision of services or acquired from third parties for any purpose.

13. Provide all U.S. and foreign addresses (complete postal addresses) of the present and anticipated locations of the Petitioner’s, and any 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.

14. Identify each individual or entity, holding or controlling greater than a 5% equity stake in the Petitioner, or Party, directly or indirectly, whether voting or non-voting, whether or not any individual or entity is a foreign government, foreign-owned, or foreign entity. Include the ultimate parents/owners, and any other companies/entities/individuals owning more than 5% equity stake in the chain of ownership.
  - (a) For every such individual and entity, including officers of each party,<sup>14</sup> provide a clear explanation of their involvement (i.e., management role, ownership, equity holder, etc.) and provide the following information:
    - i. Full name(s) and aliases:
    - ii. Country(ies) of citizenship(s):
    - 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:
    - 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):
    - xiv. Business phone number(s):
15. Provide Petitioner's financial statements and records for the preceding year.
16. Has the Petitioner or its parent been involved in bankruptcy proceedings, or any other legal proceeding undertaken for the purpose of liquidating, reorganizing, refinancing, or

---

<sup>14</sup> Company officers include the CEO, CIO, CFO, CTO, COO, VPs, SVP and President.

otherwise seeking relief from all or some of the Petitioner's debts, in any jurisdiction over the past 5 years? If so, please detail.

17. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest<sup>15</sup> in the Petitioner ever been involved or associated with a previous application to the FCC? If yes, please provide application identifying information.
18. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest in the Petitioner ever been blocked, sanctioned, penalized, or had an authorization or other permission revoked by the FCC? If yes, please provide details.
19. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest in the Petitioner ever been involved or associated with a previous application to the Committee on Foreign Investment in the United States (CFIUS)? If yes, please provide application identifying information.
20. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest in the Petitioner ever been blocked, sanctioned, penalized, or had an authorization or other permission prohibited, suspended, or revoked by CFIUS? If yes, please provide details.
21. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest in the Petitioner, 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? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. If yes, please provide details including name(s) of company officials and/or company involved, dates, offenses, jurisdiction/court, sentence.
22. Has the Petitioner, any party, any company officers/directors, or any individual/company that will have 5% or greater ownership interest in the Petitioner, 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. Commodity Futures Trading Commission, or the U.S. Environmental Protection Agency, or for violating the regulations of any comparable state or foreign agency? To include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements. If yes, please provide

---

<sup>15</sup> "Ownership interest" in these questions should include the ultimate parent/owner of the Petitioner and any other companies/individuals in the chain of ownership.

details including name(s) of company officials and/or company involved, dates, violations, agency, penalty, and if a fine was imposed, status of payment.

23. Has the Petitioner, any party, any investor that will have 5% or more ownership interest, 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 C.F.R. part 744, or equivalent list of the United Nations Security Council or European Union? If yes, please provide details.
24. Has the Petitioner, any officer of either the Petitioner, or any Party, ever been charged with, penalized for, or convicted of any of the following (to include any settlements or negotiated resolutions, non-prosecution agreements, or deferred prosecution agreements):
  - (a) Violation of U.S. law, including espionage-related acts or violations of the Foreign Agents Registration Act (FARA)?
  - (b) Deceptive sales practices, violations of the Telemarketing and Consumer Fraud Act and regulations, 15 U.S.C. § 6101 *et seq.* 16 C.F.R. § 310.1-310.8, and/or and 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?
  - (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 or 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.

If yes to any of the above questions, please 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. Please provide any available supporting documentation.

25. Will programming be rebroadcast via satellite or cable? If so, please provide details.
26. Will programing be available online? What platform will be used? Please describe streaming business operation.
27. Describe the customer/listener base of the Petitioner's, or Party'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 customers/listeners and platform; and
  - (b) Identification of any specific business or economic sectors that supply advertising or other assistance to either the Petitioner, or any Party.

28. To the extent that either the Petitioner, or any Party, is targeting, or plans to target, specific groups of individuals as customers/listeners through targeted advertising, social media efforts, review of aggregated data, or any other marketing methods, please indicate the group to be targeted (e.g., Italian-speaking immigrants, California college students, retirees living in the Miami-Dade area, Facebook users that read articles on particular musical groups or genres).

(a) Provide the responsive information in the chart below:

Applicable TV/Radio Station	Group of Individuals To Be Targeted	Method of Targeting (e.g., advertising, social media, etc.)

29. Does either the Petitioner, or any Party, or any subsidiary or parent of either, provide broadcast services of any kind in any foreign country or in the United States?

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

30. Is either the Petitioner, or any Party, or any subsidiary or parent of either party owned or controlled in whole or in part by any foreign government or foreign government entity?

If yes,

(a) Explain the nature of this control or ownership;

(b) State the exact amount of ownership and type and amount of control;

(c) Identify the country with ownership or control; and,

(d) Explain the legal structure of the ownership or control, including any government official or nominee's presence on any governing board of either party.

31. Please attach the following additional materials:

(a) Detailed organization chart for the Petitioner, and any Party, in both the pre and post transaction environments.

(b) Detailed ownership chart showing citizenship, equity, and voting rights, pre and post transaction.

- (c) List of any and all existing authorities (e.g., TV, Radio station, etc.) of the Petitioner, and any Party, and its affiliates/subsidiaries in the United States and outside the United States.
32. Why is the Petitioner seeking foreign investment/ownership?
33. Does Petitioner, or Party, intend to allow foreign 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 Petitioner, or Party, intend to place any restrictions, or limitations, on how foreign 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 Petitioner, or Party, intend to put in effect to restrict, limit, or prohibit foreign 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 Petitioner, or Party, has any such policies, procedures, and protocols in effect now, produce copies of those materials.
34. Please indicate whether Petitioner, a Party, or any of its subsidiaries that offer application or web-based content collect, process, or store any U.S. subscriber data. If so, please 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) Please indicate where any U.S. subscriber data identified here is stored and who serves as the custodian for such data. Please also indicate who has access to such data and whether each individual with access is a U.S. or non-U.S. citizen.
- (b) Please indicate whether Petitioner, a party, or its subsidiaries have deployed any security measures, protocols, or policies to protect subscriber data identified here from unauthorized access or disclosure. Please describe each measure, protocol, or policy in place to protect U.S. subscriber data. If the measures have been audited, please provide the results of the audits.