

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

In the Matter of )  
 )  
Protecting Against National Security ) WC Docket No. 26-82  
Threats in Domestic Telecommunications )  
Service )

**REPLY COMMENTS  
OF  
NTCA–THE RURAL BROADBAND ASSOCIATION**

**I. INTRODUCTION**

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments addressing responses to the Notice of Proposed Rulemaking released by the Federal Communications Commission (“Commission”) in the above-captioned proceeding.<sup>2</sup> In initial comments, NTCA asserted that the Commission must take great care to ensure any actions that would restrict telecommunications carriers’ ability to interconnect with other providers in their delivery of domestic interstate telecommunications services are targeted to protect against specific and identifiable risks, and narrowly tailored to ensure that carriers are not harmed by any restrictions the Commission adopts in this proceeding.<sup>3</sup> NTCA further emphasized that as NTCA members and the industry as a whole continue to transition toward all-Internet Protocol

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<sup>1</sup> NTCA represents approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or are themselves engaged in the provision of such services.

<sup>2</sup> *Protecting Against National Security Threats in Domestic Telecommunications Service*, Notice of Proposed Rulemaking, WC Dkt No. 26-82 (May 1, 2026), 91 Fed. Reg. 25325 (“*Notice*”).

<sup>3</sup> *See generally* Comments of NTCA–The Rural Broadband Ass’n, WC Dkt No. 26-82 (June 8, 2026) (“NTCA Comments”).

(“IP”) interconnection, adding additional barriers to interconnection – including uncertainty as to which entities or facilities may or may not be acceptable interconnection partners – could negatively harm access to connectivity and delay the transition.<sup>4</sup>

A review of the record reveals one overarching theme – universal opposition to the *Notice*’s proposal to expand the reach of existing interconnection arrangements beyond the bounds of section 214 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the “Act”), and the Secure and Trusted Communications Networks Act (“Secure Networks Act”).<sup>5</sup> While commenters expressed support for the Commission’s goal of protecting national security, multiple commenters explained how the proposals contained in the *Notice* would harm the provision of telecommunications services and would leave significant uncertainty regarding the types of interconnections prohibited. Commenters also raised significant questions regarding the Commission’s authority for adopting the proposed rules. The record is also replete with commenters explaining how IP interconnection is complicated. This counsels for caution by the Commission to ensure that any actions taken in this proceeding do not negatively impact communications services or ongoing IP interconnection progress.

## **II. THE BREADTH OF THE PROPOSED INTERCONNECTION RESTRICTIONS WOULD DISRUPT THE PROVISION OF TELECOMMUNICATIONS SERVICES**

The *Notice* seeks comment on whether to prohibit domestic telecommunications carriers from interconnecting with entities identified on the Covered List – including “current and future

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<sup>4</sup> *Id.* at pp. 2-3. *See also* Comments of the Telecommunications Industry Ass’n, WC Dkt 26-82 (June 8, 2026), pp. 6-7 (“TIA Comments”).

<sup>5</sup> 47 U.S.C. § 214; Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1.50002, 1.50003).

affiliates and subsidiaries and any entity included by reference therein” and entities “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.”<sup>6</sup> To support that proposal, the *Notice* points to findings that certain Covered List entities “have the ability to access and/or manipulate data . . . including by misrouting information and communications traffic.”<sup>7</sup> The *Notice*, however, does not provide any explanation for how expanding interconnection prohibitions to non-telecommunications carriers, entities controlled by foreign adversaries, or even current and future affiliates and subsidiaries of Covered List entities will enhance national security.

Many commenters rebutted the Commission’s proposals to expand regulations governing telecommunications carriers’ interconnection arrangements. For example, VON’s comments sum up the record concisely, stating “[t]he proposals as written would impose sweeping, untargeted restrictions that would disrupt existing network arrangements, impose enormous compliance costs, and fragment global communications, *all without evidence that these measures are necessary to address specific, identified security risks.*”<sup>8</sup>

Without any evidence that the proposals in the *Notice* would protect against specific, identifiable risk, commenters overwhelmingly demonstrated that the proposed restrictions on telecommunications carriers’ ability to interconnect with other entities would be detrimental to existing telecommunications services and ineffective in achieving the Commission’s goals. NTCA agrees. As the record shows, the *Notice*’s proposals would disrupt longstanding interconnection routes, resulting in higher transport costs and slower communications speeds,

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<sup>6</sup> *Notice* at ¶¶ 10, 13-14.

<sup>7</sup> *Id.* at ¶ 13.

<sup>8</sup> Comments of the Voice of the Net Coalition, WC Dkt No. 26-82 (June 8, 2026), p. 6 (“VON Comments”) (emphasis added).

without evidence that the restrictions would enhance national security. ITI, for instance, explained that “[i]f a peering relationship between two networks is severed, the traffic does not disappear and demand does not change; the packets simply take a different, less efficient route.”<sup>9</sup> INCOMPAS likewise explained that “[r]erouting this traffic . . . would introduce measurable increases in latency, with predictable performance consequences for real-time and cloud-based applications, including video conferencing, cloud services, and interactive enterprise applications.”<sup>10</sup> These consequences are significant and far more than an inconvenience. Notably, for example, hospitals and medical facilities routinely rely on videoconferencing – which necessitates high speed, low latency bandwidth – to diagnose and treat patients, especially in rural hospitals that are located far from specialists.<sup>11</sup> The routing of 911 calls also depends upon reliable interconnection.<sup>12</sup>

Accordingly, prior to taking any action in this proceeding that would disrupt domestic telecommunications carriers’ existing interconnection arrangements, and thus the services their customers rely upon, the Commission must fully identify the national security risks that

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<sup>9</sup> Comments of Information Technology Industry Council (ITI), WC Dkt No. 26-82 (June 8, 2026), p. 3 (“ITI Comments”).

<sup>10</sup> Comments of INCOMPAS, WC Dkt No. 26-82 (June 8, 2026), p. 5 (“INCOMPAS Comments”). *See also* NTCA Comments at p. 4 (“prohibiting interconnection with entities or facilities with equipment from entities on the Covered List . . . may eliminate significant Points of Presence (“PoPs”) from U.S. networks, raising costs and limiting service routes that facilitate American connectivity.”).

<sup>11</sup> *See* Josh Seidemann, “Extended Reality Telehealth for Rural Spaces,” NTCA – The Rural Broadband Ass’n (2024), p. 13, 15 *available at* [https://www.ntca.org/sites/default/files/documents/2024-12/Extended\\_Reality\\_Telehealth\\_for\\_Rural\\_Spaces.pdf](https://www.ntca.org/sites/default/files/documents/2024-12/Extended_Reality_Telehealth_for_Rural_Spaces.pdf) (“Rural physicians and other healthcare providers can leverage telehealth and XR [extended reality] modalities to facilitate connections to distantly located physicians to support care management of acute and chronic conditions, as well as to enable access to training and continuing education resources.” “XR-enabled telehealth requires rates in the tens of Mbps and latency of approximately 10-20ms.”).

<sup>12</sup> *See* Reply Comments of NTCA, *Advancing IP Interconnection*, WC Docket No. 25-304, *Accelerating Network Modernization*, WC Dkt No. 25-208, *Call Authentication Trust Anchor*, WC Dkt No. 17-97, Notice of Proposed Rulemaking, FCC 25-73 (Feb. 19, 2026), p. 4.

necessitate dismantling existing interconnection arrangements and evaluate the impact of such disruption on telecommunications carriers and the services they offer.

### **III. ANY ACTION TAKEN IN THIS PROCEEDING MUST NOT UNDERMINE THE CERTAINTY THAT IS NECESSARY FOR DELIVERY OF RELIABLE TELECOMMUNICATIONS SERVICES**

Telecommunications carriers, especially small and rural providers serving sparsely populated areas, require certainty to justify the large investments they make to deploy and operate next generation networks in their communities. Before the adopting rules in this proceeding, the Commission must consider the costs and burdens of any proposed rule on all carriers authorized to provide domestic interstate telecommunications services pursuant to section 214 to ensure even the smallest carriers can carry out any required actions and such actions do not undermine the efficient operation of telecommunications services that Americans require.

#### **A. Any rules should not impact indirect interconnection arrangements**

The *Notice* proposes wide-ranging prohibitions on telecommunications carriers' ability to interconnect with "any facilities" owned or operated by entities "identified" on the Covered List, including Points of Presence and data centers.<sup>13</sup> The Commission should decline to move forward with these proposed prohibitions.

Any attempt to expand the Commission's interconnection rules to non-telecommunications providers not only creates uncertainty regarding where and when interconnection takes place but also imposes a requirement on telecommunications carriers that is not technically feasible. As VON explained, "the Border Gateway Protocol (BGP), which governs inter-domain routing on the Internet, operates on a best-path selection basis and does not

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<sup>13</sup> *Notice* at ¶ 14.

permit originating networks to dictate or even fully observe the path that traffic takes beyond their immediate peers ... [and as a result] would impose an obligation that U.S. carriers cannot satisfy as a technical matter.”<sup>14</sup> Accordingly, as ITI advocated, “[a]ny restriction on interconnection should be strictly limited to direct, contractual Title II common carrier relationships and should not extend to IP peering, transit agreements, CDN [Content Delivery Network] relationships, and other forms of connectivity.”<sup>15</sup>

To provide telecommunications carriers with certainty regarding whether or how any “indirect” interconnections are permitted, while also not adopting unnecessarily broad rules, the Commission should expressly exclude indirect interconnection arrangements from any prohibitions adopted in this proceeding. Instead, the Commission should continue to limit actions to areas where Congress has provided express authority. Here, the Commission should adhere to rules that govern direct interconnection between telecommunications carriers’ networks, consistent with section 214 of the Communications Act.<sup>16</sup>

**B. Carriers must be permitted to rely upon interconnecting providers’ reasonable representation of authority**

In addition to seeking to prohibit domestic telecommunications’ carriers’ ability to interconnect with an entity that does not have a domestic section 214 authorization due to national security reasons, or whose authorization was revoked, the *Notice* proposes to prohibit interconnection with entities “identified” on the Covered List and entities “owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.”<sup>17</sup> Multiple commenters,

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<sup>14</sup> VON Comments at p. 8.

<sup>15</sup> ITI Comments at p. 4. *See also* Comments of US Telecom, WC Dkt No. 26-82 (June 8, 2026), p. 13 (“USTelecom Comments”) (“The Commission should ... expressly exclude internet connectivity, IP routing, peering, cloud services, enterprise services, and non-telecommunications arrangements from any rule considered in this docket.”).

<sup>16</sup> 47 U.S.C. § 214; 47 CFR § 63.01.

<sup>17</sup> *Notice* at ¶ 15.

including NTCA, pointed out that the *Notice's* proposals create significant uncertainty regarding how telecommunications carriers will be able, or expected, to identify with certainty the entities with whom they can and cannot lawfully interconnect.<sup>18</sup> NCTA, for instance, commented that “[a]bsent clear identification of prohibited entities, legitimate domestic Section 214 authorization holders would be forced to independently assess complex ownership, control, and jurisdictional issues that may rely on non-public national security information unavailable to industry participants.”<sup>19</sup> CTIA likewise encouraged the Commission not to expand any prohibition to entities subject to the jurisdiction of a foreign adversary. In doing so, CTIA pointed out that “no enumerated agencies or interagency bodies have provided a specific determination that domestic Section 214 services” provided by entities other than those identified on the Covered List pose an unacceptable risk to national security.<sup>20</sup>

Making these determinations is not within telecommunications carriers’ knowledge due to the inability to ascertain both complex ownership information regarding other entities and whether such entities pose a risk to national security. Accordingly, as supported by the record, the Commission must allow interconnecting providers to rely upon reasonable representations of authority to interconnect. Otherwise, the risk of liability could chill IP interconnection at the very time the Commission is pushing to transition all carriers to interconnect in IP.

**C. Any prohibition should be limited to entities expressly named on the Covered List**

While many of the Commission’s proposals raise significant logistical and legal concerns, commenters largely supported the Commission’s proposal to prohibit

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<sup>18</sup> NTCA Comments at p. 3.

<sup>19</sup> Comments of NCTA – The Internet & Television Ass’n, WC Dkt No. 26-82 (June 8, 2026), pp. 3-4.

<sup>20</sup> Comments of CTIA – The Wireless Ass’n, WC Dkt No. 26-82 (June 8, 2026), pp. 7-8 (“CTIA Comments”).

telecommunications carriers operating pursuant to section 214 blanket authority from interconnecting with entities named on the Covered List provided such prohibition is limited to those entities expressly named on the Covered List.<sup>21</sup> The Commission established the Covered List pursuant to the Secure Networks Act to identify “equipment or services produced or provided by a company posing a national security threat to the integrity of the communications networks or the communications supply chain.”<sup>22</sup> Thus, the equipment and services identified on the Covered List have been identified as posing a threat to national security through a process enumerated by Congress and followed repeatedly by the Commission.<sup>23</sup>

Neither the Commission nor commenters, however, identify evidence that would support expanding restrictions on telecommunications carriers’ interconnection arrangements beyond those with entities expressly named on the Covered List, nor have any national security determinations. Accordingly, if the Commission concludes that certain interconnection arrangements involving domestic telecommunications carriers pose a threat to national security, the entities with whom these carriers cannot interconnect must be expressly named on, and limited to, the Covered List. This will provide necessary clarity and is consistent with prior actions taken by the Commission to protect national security.<sup>24</sup> Any other proposal would be unworkable.

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<sup>21</sup> See, e.g., TIA Comments at p. 3 (“supports the FCC’s proposal to exclude entities listed on the Covered List from receiving blanket Section 214 authority” but only to “**specifically identified entities**, rather than ... broad categories of equipment or undefined classes of actors.”) (emphasis in original); INCOMPAS Comments at p. 3; CTIA Comments at p. 3; Comments of the New York Public Service Comm’n, WC Dkt 26-82 (June 8, 2026), p. 3.

<sup>22</sup> 47 CFR § 54.9(a).

<sup>23</sup> See, e.g., *Public Safety and Homeland Security Bureau and Office of Engineering and Technology Prohibit the Importation and Marketing of Previously Authorized Covered Communications Equipment Added to the Covered List in 2024 or Earlier*, Public Notice, DA 26-635 (June 26, 2026).

<sup>24</sup> See, e.g., *Public Safety and Homeland Security Bureau Announces Publication of the List of Equipment and Services Covered by Section 2 of the Secure Networks Act*, Public Notice, DA 21-309 (Mar. 12, 2021).

#### IV. COMMISSION AUTHORITY TO REGULATE INTERCONNECTION IS LIMITED TO TELECOMMUNICATIONS SERVICES

Commenters overwhelmingly objected to the *Notice*'s proposal to expand the Commission's rules governing domestic section 214 interconnection arrangements beyond telecommunications carriers, citing the Commission's lack of authority for such expansion.<sup>25</sup> VON, for instance, commented that "[n]othing in Sections 201(b) or 214 of the Communications Act ... clearly and affirmatively confers on the Commission the power to prohibit all interconnection and commercial dealings between its authorization holders...."<sup>26</sup> Similarly, CTIA pointed to the specific language of Title II of the Act, stating that Section 201(b) "only empowers the FCC to determine what conduct is 'just and reasonable'" as related to the "charges, practices, classifications, and regulations" of services provided by telecommunications carriers and "does not authorize the FCC to regulate a wide range of interconnection points associated with the networks and services of entities not subject to Section 201(b)."<sup>27</sup>

The Commission itself recognized this limitation in the *Notice*, stating "[w]e observe that section 214 generally addresses only common carrier telecommunications services."<sup>28</sup> Nevertheless, the *Notice* concludes that actions restricting interconnection with Covered List entities and those owned or controlled by foreign adversaries, regardless of the types of service offered, are warranted due to national security concerns.<sup>29</sup> Prior to adopting rules that would expand the scope of the Commission's authority to regulate interconnection arrangements far beyond those expressly enumerated in Title II of the Act, the Commission must first seek

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<sup>25</sup> See, e.g., USTelecom Comments at p. 4.

<sup>26</sup> VON Comments at pp. 5-6.

<sup>27</sup> CTIA Comments at pp. 25-26.

<sup>28</sup> *Notice* at ¶ 6.

<sup>29</sup> *Id.*

authorization from Congress to make such expansion. The Commission’s limited authority to adopt rules addressing national security concerns does not erase or override the Commission’s lack of authority to regulate interconnection arrangements other than those expressly identified in section 214 of the Act pertaining to domestic telecommunications carriers.

## V. CONCLUSION

The Commission’s rules, guided by Title II of the Act, clearly apply to interconnection arrangements between telecommunications carriers. Any attempt by the Commission to expand existing interconnection rules to include non-telecommunications carriers and indirect interconnection arrangements requires careful evaluation to (i) ensure any action does not interrupt the delivery of robust, reliable telecommunications services; (ii) identify the cost and burdens such action would impose on domestic telecommunications carriers, including small carriers; (iii) follow existing methods that expressly identify named entities with whom interconnection would pose a threat to national security; and (iv) not exceed the Commission’s statutory authority.

Respectfully submitted,



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