

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Public Safety and Homeland Security Bureau and Office of Engineering and Technology
Seek Comment on Prohibiting the Importation and Marketing of Certain Covered UAS
and UAS Critical Components and Equipment Listed in Section 1709 of FY2025 NDAA
(Public Notice, DA 26-742, rel. July 17, 2026)

PS Docket No. 26-184

COMMENTS OF GATEWELL GROUP LLC

I. Interest of the commenter

Gatewell Group LLC ("Gatewell") is a compliance consultancy based in Los Angeles, California, focused on manufacturers, importers, distributors, and institutional purchasers of connected equipment in categories subject to the Commission's Covered List. Gatewell publishes the Gatewell Protocol for Origin Evidence, an open, no-cost documentation standard for origin-evidence files. Gatewell has no relationship with any of the nine entities named in the Public Notice, or with their affiliates, subsidiaries, or partners. These comments take no position on whether the proposed prohibition should issue; they address a single question: how covered equipment should be identified, by the parties who must identify it, if the prohibition takes effect.

II. The Public Notice's specificity is its chief virtue, and it should be completed with a definitive identification schedule

The Public Notice identifies the equipment at issue by named entity and by individual FCC identifier, and expressly disclaims application to other already-authorized covered equipment. Gatewell supports that precision. In practice, however, the compliance burden of the proposed prohibition will fall not on the nine named entities but on third parties in the distribution channel — importers, distributors, marketplaces, and resellers holding or handling inventory — who must decide, model by model, whether particular

equipment is equipment of a named entity. Those parties can comply mechanically, and within a 30-day cessation period, only if the universe of covered equipment is definitive.

Gatewell accordingly recommends that the Commission: (a) publish the complete schedule of covered FCC identifiers as a standing, versioned, machine-readable list; (b) state that the schedule is exhaustive as of its date, so that equipment not on it is outside the prohibition until the schedule is amended; and (c) amend the schedule through this docket, with notice, as successor entities or additional identifiers are found. A definitive schedule converts an investigative obligation into a reconciliation task.

III. "Sufficient evidence" should not remain undefined

Identification will not always be mechanical. Equipment reaches the United States market white-labeled, rebranded, and incorporating third-party modules with their own FCC identifiers; a distributor cannot always tell from a device label whether it holds equipment of a named entity or a lawful device from an unrelated grantee. In adjacent Covered List contexts, applicants must already certify that equipment is not prohibited from receiving an equipment authorization pursuant to 47 CFR § 2.903, see 47 CFR § 2.911(d)(5), yet the rules prescribe no documentary showing by which that certification is to be supported. Undefined evidence standards produce two predictable failures: under-compliance, in which obligated parties rest on a supplier's bare assertion; and over-compliance, in which lawful equipment is de-stocked because no seller can economically prove a negative. The first defeats the prohibition; the second removes lawful products from commerce with no security benefit.

The Commission should therefore specify the documentary showing by which a party may establish that equipment is not covered equipment of a named entity. Gatewell recommends three elements: (1) equipment-authorization reconciliation — the device's FCC identifier traced to its grantee of record in the Commission's own equipment-authorization records and reconciled against the published schedule recommended above, so that the anchor of the showing is the Commission's records rather than supplier paper; (2) corporate-chain documentation — where a grantee's independence from a named entity is reasonably in question, registry documents establishing the grantee's ownership chain, dated within a defined currency period, with certified translations where the underlying documents are not in English; and (3) attestation — a dated certification by an officer of the party making the claim, identifying the

documents relied upon, with a defined retention period. A defined showing gives the Bureau an auditable record, gives honest actors a safe harbor, and concentrates enforcement attention on the records hardest to counterfeit, because the Commission itself holds the authoritative copy.

IV. A published open framework demonstrates that such criteria are practicable

Gatewell maintains the Gatewell Protocol for Origin Evidence, Version 1.0 (Public Comment Draft, August 2026), an open documentation standard defining the contents, provenance, verification methodology, and change control of an origin-evidence file for connected equipment in Covered List categories — including equipment-authorization reconciliation and corporate-chain documentation of the kind described above, with stated evidence-age limits, translation requirements, and retention periods. The Protocol is published at gatewellgroup.com/protocol and is free to use, cite, and require of counterparties, with attribution. Gatewell does not ask the Commission to adopt, reference, or endorse the Protocol. It is cited for one purpose: as an existing, public demonstration that documentary origin-evidence criteria can be specified concretely, in an operable and auditable form.

V. The cessation period should run from publication of the identification schedule

A 30-day cessation period is workable for channel parties only if identification is mechanical on day one. Gatewell recommends that any cessation period run from publication of the definitive identifier schedule described in Section II, so that the compliance clock and the compliance tool arrive together.

VI. Conclusion

Whatever the Commission decides on the substance of the prohibition, the identification standard should be specified, documentary, and anchored in the Commission's own equipment-authorization records. Clear evidence criteria are not a concession to regulated parties; they are what makes a prohibition of this kind enforceable in a distribution channel that the named entities do not control.

Respectfully submitted,

/s/ Ilya Tsimerinov

Ilya Tsimerinov

Principal

Gatewell Group LLC

811 W 7th Street, Suite 900

Los Angeles, California 90017

inquiries@gatewellgroup.com

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