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FCC Adds Advanced Robotic Devices to the Covered List

On July 28, 2026, the FCC's Public Safety and Homeland Security Bureau added advanced robotic devices produced in foreign countries to the Covered List ([Public Notice, DA 26-786](#)). Advanced robotic devices include autonomous mobile robots, humanoid robots, and quadrupeds.

This action followed a [National Security Determination](#) ("NSD") by the Executive Branch that foreign-made advanced robots pose unacceptable national security risks. Among other reasons, the Determination cited potential hacking, supply chain risks, and cybersecurity risks.

The FCC's [Covered List](#) identifies communications equipment and services deemed to pose an unacceptable risk to U.S. national security. *See* 47 U.S.C. 1601(a). Equipment included on the list cannot receive a new FCC equipment authorization, which can prevent new models from being imported, marketed, or sold in the United States. *See* 47 C.F.R. § 2.903(a). Applicants must certify that a device is not on the Covered List. 47 C.F.R. § 2.911(d)(5)(i).

What is a covered advanced robotic device?

The NSD required the FCC to place "all foreign-produced advanced robotic devices" on the Covered List "unless the Department of War (DOW) transmits to the FCC a specific determination that a given foreign-produced advanced robotic device, or a class of such devices" does not pose a national security risk.

An "advanced robotic device" is defined as: "A mechanical mobile device, including autonomous mobile robots, humanoid robots, and quadrupeds" that:

- is capable of locomotion, obstacle avoidance, navigation, or movement on the ground;
- operates at a distance from a human operator or supervisor based on commands or in response to sensor data or any combination thereof; and
- the combined weight of the device and, if applicable, ground station or docking station is over 4.4lbs; and
- contains the following components:
 - a sensor capable of perceiving its environment;
 - a component that is capable of providing network connectivity (wired or wireless, including Bluetooth/WiFi, cellular, or satellite) with connection speeds of at least 200 kbps in either direction; and
 - software running either locally or remotely, including firmware and AI or machine-learning model weights, that controls the robot's autonomous

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navigation or movement perception, data collection, or remote command-and-control.

An advanced robotic device does *not* include:

- a “connected vehicle,” (as defined in 15 CFR § 791.301) but including a connected vehicle of any gross weight;
- a vehicle operated only on a rail line;
- an “uncrewed aircraft” or “uncrewed aircraft system,” as defined in 47 CFR § 7 88.5;
- an unmanned underwater vehicle that is able to operate without a human occupant;
- items that are classified as devices under section 513 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §360c), including surgical instruments, medical and surgical robotic systems, external limb prostheses and their components, and ambulatory and mobility assistive devices (such as canes, crutches, walkers, and wheelchairs), whether or not powered, and whether the item was cleared under section 510(k), approved under section 515, classified under section 513(f)(2), or exempt from premarket notification; or
- a fixed, stationary, non-mobile robot, including articulating, parallel/delta, Cartesian/gantry, or Selective Compliance Assembly, or Articulated, Robot Arm (SCARA) robots intended for industrial or medical use.

“Foreign-produced” is defined as “any article that does not qualify as a ‘domestic end product,’ as that term is defined in 48 CFR § 25.101(a).” Under that section, (buy America regulations), “domestic end product” status requires both (a) manufacture in the United States and (b) that domestic components must exceed 65 percent of the total component cost (increasing to 75 percent in 2029).

Effect on existing equipment

New foreign-produced advanced robotic devices will be prohibited from receiving FCC authorization to be imported, marketed, or sold in the United States, unless a conditional authorization is obtained. However, existing advanced robotic devices that the FCC previously authorized can continue to be imported and sold. Devices that consumers previously purchased are likewise unaffected.

The FCC’s Office of Engineering and Technology (OET) [issued a waiver](#) for existing authorized advanced robotic devices to be able to receive software and firmware updates through at least January 1, 2029. These include software and firmware updates to ensure the continued functionality of the devices, such as those that patch vulnerabilities and facilitate compatibility with different operating systems.

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Obtaining a Conditional Approval for Covered Advanced Robotic Devices

Entities producing advanced robotic devices [can request an exemption from the Covered List](#) by receiving a “conditional approval.” Note that unlike the other categories of devices placed on the Covered List (such as routers or power inverters) only the Department of War (DoW) and *not* the Department of Homeland Security (DHS) can make the conditional approval determination for advanced robotic devices. DoW will make a specific determination to the FCC that a given advanced robotic device or class of robots (e.g., robots produced by a specified entity) do not pose unacceptable national security risks.

Among other things, DoW will “assess national security risks, supply chain resilience, and the applicant’s commitment to establishing trusted manufacturing capacity in the United States to ultimately judge whether the robot producer poses unacceptable risks.”

Conditional approval applications must be received by January 1, 2028. The application must include the following categories of information:

Corporate Structure:

- legal name, jurisdiction of incorporation, and principal place of business;
- ownership structure, including parents, subsidiaries, affiliates, and joint ventures;
- beneficial owners holding at least five percent equity;
- board members and executive leadership, including nationality and country of residence; and
- foreign government ownership, control, influence, financing, or material support (including any arrangements that allow foreign persons or governments to influence operations, decision-making, or access to technology.)

Manufacturing and Supply Chain:

- a detailed bill of materials for the advanced robotic device;
- country of origin for all components in the robot, design of the robot, and software and firmware
- entities responsible for IP ownership and software updates;
- justification for why the device is not currently manufactured in the United States, including why the foreign country was selected and whether alternatives exist;
- manufacturing, final assembly, and testing locations;
- quantitative assessment of supply chain concentration by country, as both a percentage of total value and production volume; and
- identification of any single points of failure in the supply chain including sole source suppliers, the country of those sole-source suppliers, and a description of contingency plans if those suppliers become unavailable.

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U.S. Manufacturing and Onshoring Plan

- a detailed, time-bound plan to establish or expand manufacturing in the United States;
- a point of contact responsible for implementing and overseeing the U.S. manufacturing and onshoring plan;
- a description of existing U.S.-based manufacturing and assembly for the robot including: percentage of components assembled in the United States and current U.S. headcount and facilities;
- a description of committed and planned capital expenditures, financing, or other investments dedicated to U.S.-based manufacturing and assembly over the next 1-5 years, including expected timelines and milestones (including additional number of employees expected to be hired and expected expansion of domestic manufacturing facilities); and
- an inventory of the progress made on the U.S. manufacturing and onshoring plans submitted for all prior covered list approvals.

Next Steps

Steptoe's Telecom and International Trade attorneys can help steer companies that have a covered advanced robotic device through the conditional approval process. For more information, please contact one of the authors.