

## **Alert** | Telecommunications



**March 2026**

### **FCC Seeks Comment on Satellite Market Access Reciprocity**

On March 2, 2026, the Federal Communications Commission (FCC or Commission) released a **Public Notice** to examine reciprocity in the satellite marketplace. Specifically, the FCC is seeking comment on whether its longstanding presumption in favor of granting requests for U.S. Market Access from satellite systems licensed to World Trade Organization (WTO) member-nations remains appropriate in light of perceived global barriers to entry for U.S. satellite operators. Comments are due **April 1, 2026**, and reply comments are due **April 16, 2026**.

#### **Background**

The decades-old U.S. Market Access framework for satellite services, which the FCC implemented pursuant to commitments the United States made under the WTO Basic Telecommunications Agreement, establishes the rules and processes by which a non-U.S.-licensed satellite system obtains FCC authority to communicate with U.S.-licensed earth stations in the United States. Under that framework, satellite systems licensed by WTO member-nations (including, among others, the United Kingdom, Japan, and the Netherlands) and providing WTO-covered services benefit from a presumption in favor of entry into the U.S. market. In contrast, applicants seeking entry for non-WTO-covered services or by non-WTO systems must demonstrate “effective competitive opportunities” for U.S.-licensed operators in the relevant foreign markets where the applicant’s satellite system is licensed and where communications with the U.S.-licensed earth station will originate or terminate. The Commission adopted this approach to promote global competition and encourage reciprocal market opening. Today, roughly one-quarter of the **satellite systems approved** under Part 25 are licensed by foreign administrations.

## Emerging International Reciprocity Concerns

The Public Notice reflects growing concern at the FCC that U.S.-flagged satellite systems may face increasing regulatory and economic barriers abroad while the U.S. Market Access policy remains substantially unchanged from when it was adopted in 1997. In support of this view, the FCC in the Public Notice points to:

- **European Union proposals**, such as the draft EU Space Act and draft Digital Networks Act, that could impose additional requirements on non-EU operators and centralize spectrum authorization processes at the EU level in ways that may require re-licensing of U.S. systems in Europe;
- **Satellite television restrictions and policies** in countries such as Canada, India, and the Republic of Korea, including local content quotas, preferences for domestic satellite capacity, and domestic partnership or ownership requirements;
- **Procurement and funding asymmetries**, such as budget allocations that favor domestic or regional procurement; and
- **Fee differentials and local presence requirements**, including higher landing rights fees for foreign operators in certain jurisdictions and foreign ownership restrictions in others.

Given the structural and policy disadvantages U.S. satellite operators face, the FCC invites comment on the accuracy of the presumption that commitments made by WTO-member nations are sufficient to eliminate barriers to entry by U.S.-licensed satellites.

## Issues on Which Comment Is Sought

The FCC seeks comment on the current state and expected evolution of satellite market access reciprocity in foreign countries. Specifically, the Public Notice asks:

- Are there any cases today where the Commission applies a presumption of entry but, in fact, there may be a lack of effective competitive opportunities to provide analogous services in the country in which the non-U.S. licensed satellite operator is authorized to provide service?
- Should the Commission assess such effective competitive opportunities in any manner that is different from its current framework?
- Should a “competitive reciprocal opportunities” test by the FCC apply equally to WTO and non-WTO foreign licensed systems?
- How might the Commission’s assessment take account of, or be authorized by, its rights and treaty obligations under existing trade agreements (e.g., bilateral, regional, or multilateral)?
- Are there any other considerations the agency should take into account regarding foreign laws and legal developments with respect to the implementation of its rules and policies?

The FCC intends to use the record to assist implementation of existing Commission rules and policies, inform international advocacy in support of U.S. commercial space interests, and develop proposals for future Commission action.

Companies with international satellite operations, foreign partnerships, or global spectrum strategies should consider whether to participate. Those seeking assistance in preparing comments or assessing how this proceeding may affect their business may wish to consult with experienced counsel.

## Authors

This GT Alert was prepared by:

- [Kathryne C. Dickerson](#) | +1 202.533.2324 | [Kate.Dickerson@gtlaw.com](mailto:Kate.Dickerson@gtlaw.com)
- [Liam F. Fulling](#) | +1 202.530.8528 | [Liam.Fulling@gtlaw.com](mailto:Liam.Fulling@gtlaw.com)

Abu Dhabi<sup>†</sup>. Albany. Amsterdam. Aspen. Atlanta. Austin. Berlin<sup>†</sup>. Boston. Charlotte. Chicago. Dallas. Delaware. Denver. Dubai<sup>†</sup>. Fort Lauderdale. Houston. Las Vegas. London<sup>†</sup>. Long Island. Los Angeles. Mexico City<sup>†</sup>. Miami. Milan<sup>†</sup>. Minneapolis. Munich<sup>†</sup>. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Portland. Riyadh<sup>†</sup>. Sacramento. Salt Lake City. San Diego. San Francisco. São Paulo<sup>†</sup>. Seoul<sup>†</sup>. Shanghai. Silicon Valley. Singapore<sup>†</sup>. Tallahassee. Tampa. Tel Aviv<sup>†</sup>. Tokyo<sup>†</sup>. Warsaw<sup>†</sup>. Washington, D.C. West Palm Beach. Westchester County.

*This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. †Greenberg Traurig's Abu Dhabi office is a branch of Greenberg Traurig, P.A., which is registered with the Abu Dhabi Global Market Registration Authority (Registration No. 29906) and licensed to carry out legal services and regulated as a DNFBP by the ADGM Financial Services Regulatory Authority. †Greenberg Traurig's Berlin and Munich offices are operated by Greenberg Traurig Germany, LLP, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. †Greenberg Traurig's Dubai office is operated by Greenberg Traurig Limited, a company registered in the Dubai International Financial Centre (Registration No. CL7238), regulated as a DNFBP by the Dubai Financial Services Authority and licensed by The Government of Dubai Legal Affairs Department. \*Operates as a separate UK registered legal entity. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. »Greenberg Traurig's Milan office is operated by Greenberg Traurig Studio Legal Associato, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. «Greenberg Traurig operates in the Kingdom of Saudi Arabia through Greenberg Traurig Khalid Al-Thebity Law Firm, a professional limited liability company, licensed to practice law by the Ministry of Justice. ›Greenberg Traurig's São Paulo office is operated by Greenberg Traurig Brazil Consultores em Direito Estrangeiro – Direito Estadunidense, incorporated in Brazil as a foreign legal consulting firm. Attorneys in the São Paulo office do not practice Brazilian law. ∞Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. †Greenberg Traurig's Singapore office is operated by Greenberg Traurig Singapore LLP which is licensed as a foreign law practice in Singapore. ^Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. †Greenberg Traurig's Tokyo Office is operated by GT Tokyo Horitsu Jimusho and Greenberg Traurig Gaikokuhojimubengoshi Jimusho, affiliates of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ~Greenberg Traurig's Warsaw office is operated by GREENBERG TRAUIG Nowakowska-Zimoch Wysockiński sp.k., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners in GREENBERG TRAUIG Nowakowska-Zimoch Wysockiński sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2026 Greenberg Traurig, LLP. All rights reserved.*