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Via ECFS

June 12, 2026

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program—ET Docket No. 24-136

Dear Ms. Dortch:

The Consumer Technology Association (CTA)[1] urges the Federal Communications Commission (FCC or Commission) to implement the *Second Order* without adding new location-based restrictions that would raise costs, reduce testing capacity, delay product launches, and limit consumer choice.[2]

The Commission can strengthen equipment authorization security, bolster supply chains and the economy without forcing all test labs, telecommunications certification bodies (TCBs), and accreditation bodies to operate only in the United States or Mutual Recognition Agreement (MRA) countries. A location-only rule would be overbroad, poorly targeted to actual risk, and disruptive to global production cycles.

If the Commission adopts any new restrictions, it should:

- Apply them prospectively only;
- Provide at least a three-year transition period;

[1] As North America's largest technology trade association, CTA® is the tech sector. Our members are the world's largest innovators—from startups to global brands—helping support more than 17 million American jobs. CTA owns and produces CES®—the most powerful tech event in the world.
[2] *Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program*, Second Report and Order, Order on Reconsideration, and Second Further Notice of Proposed Rulemaking, FCC 26-28 (rel. May 1, 2026) (*Second Order* and *Second Further Notice*, respectively).

- Create an expedited approval process for transition plans that mitigate security concerns without disrupting supply chains;

- Modernize the EAS and KDB portal to improve continuity, data analysis, and equipment authorization operations during disruptions; and

- Reduce unnecessary Pre-Approval Guidance (PAG) burdens for mature test areas with defined procedures and qualified labs.

CTA and its members share the FCC's commitment to promoting the integrity and security of the consumer technology marketplace, including in the operation of TCBs, test labs, and accreditation bodies that support FCC equipment authorization.[3] CTA supports U.S. government efforts to prevent untrusted equipment and services from reaching American consumers and to promote trade with trusted international partners.[4] As CTA Executive Chair Gary Shapiro recently noted in advance of President Trump's summit with Chinese President Xi Jinping:

> Resilience does not mean pulling everything back within U.S. borders. Real resilience comes from diversifying. That means reshoring where it makes sense, near shoring where it's efficient, 'friend shoring' with trusted allies and trading partners and recognizing that trade with countries like China will continue to be part of the economic mix.[5]

CTA appreciates the Commission's measured approach in the *Second Report and Order*, which safeguards security while preserving innovation, consumer choice, and supply chain resilience. Consistent with widespread industry input,[6] the *Second Order* adopted measures to strengthen national security and encourage domestic testing and certification,[7] while avoiding proposals that would impose more costs than benefits.[8] While we understand that the record remains open on additional measures the Commission may consider to enhance the integrity and security of organizations supporting the equipment authorization process, the Commission should weigh the

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[3] *See, e.g.*, Letter from J. David Grossman and Rachel Nemeth, CTA, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 24- 136 (filed Oct. 24, 2025); Letter from Rachel Nemeth, CTA, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 24- 136 (filed Sep. 10, 2025); Letter from Christopher L. Shipley, Incompas, and CTA, ET Docket No. 24-136 (filed May 16, 2025).

[4] *See, e.g.,* Gary Shapiro and Ed Brzytwa, *Top Ten Ways to Turn Trading Partners into Trade Best Friends Forever*, https://cdn.cta.tech/cta/media/media/advocacy/pdfs/tradebff.pdf.

[5] Gary Shapiro, *Made in America needs global partners*, Newsweek (May 2, 2026), https://www.newsweek.com/made-in-america-needs-global-partners-opinion-11893025.

[6] *See, e.g.*, Letter from J. David Grossman, CTA, Sriram Gopal, Association of Home Appliance Manufacturers, Christopher L. Shipley, Incompas, Sameer Boray, Information Technology Industry Council, Alex Baker, National Electrical Manufacturers Association, and Colin Andrews, Telecommunications Industry Association, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 24-136 (Sept. 11, 2025).

[7] *See, e.g.*, *Second Order* (adopting a fast-track for test labs in the United States or in the territories of economies with MRAs, additional disclosure requirements, and confidential reporting channels).

[8] *See, e.g.*, *Second Order* ¶¶ 59-61 (avoiding (i) further MRA vs non-MRA restrictions, (ii) restrictions on the TCB-test lab relationship, or (iii) ending the successful self-approval Supplier's Declaration of Conformity equipment authorization process).

costs of requiring all such organizations to be based in the United States or an MRA country.

The FCC Should Avoid Broad Location-Based Restrictions That Raise Costs Without Improving Security

Basing eligibility solely on location is overbroad and poorly targeted to actual security risks.[9] It would reduce testing capacity, delay product launches, and limit product availability for American consumers.[10]

Banning all test labs, TCBs, and accreditation bodies outside the United States or MRA countries would significantly increase costs. CTA members estimate costs could increase significantly with additional restrictions and result in a tightening supply of entities to test and certify devices.

Suppliers today often manage testing and certification inside factories; having to send products to a new location would require new shipping and supply chain costs and cause delays associated with shipping and importation. Suppliers would have to hire new staff to manage that process, which takes time and additional resources. It could also introduce new security risks.

Barring non-MRA-based labs would have cascading costs through the supply chain. Many products rely on pre-certified modules.[11] Today, manufacturers can incorporate those modules without repeating most certification testing. If suppliers must move testing to new facilities, module costs will rise and more end-product testing may be required. Those costs ultimately reach consumers through higher prices and delayed product launches.

The FCC does not need to take such a drastic step to achieve its national security goals. The FCC already has strong tools to vet, approve, and monitor test labs, TCBs, and accreditation bodies. The *Second Order* imposes new disclosure requirements and a confidential reporting mechanism that will augment these tools. The *Second Order* also adopted incentives for using U.S. and MRA-based facilities that will encourage the technology market to shift toward these facilities over time, in a manner that will not shock the supply chain or require companies to break contracts, delay product rollouts, or incur major unnecessary expenses. The Commission can work with industry and federal partners to develop additional MRAs going forward.

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[9] *See* Comments of CTA, ET Docket No. 24-136, at 4-5 (filed Aug. 15, 2025) (observing that a blanket ban based on geography would likely exclude a broad range of entities operating abroad that comply with the FCC's rigorous accreditation and testing practices and are not at risk of being exploited by a foreign adversary, while creating an unnecessary barrier to trade that could set a dangerous precedent for international reciprocity that would harm U.S.-based companies).

[10] *Id.*

[11] *See* FCC Office of Engineering and Technology, *Modular Transmitter Integration Guide Guidance for Host Product Manufacturers* 996369 D04v02 (Oct. 13, 2020) (discussing the advantages and responsibilities of using modular transmitters in host devices).

Modernizing the EAS Supports Implementation of the *Second Order* and Benefits Consumers

The Commission can achieve its national security goals by making the new fast-track process work better for applicants that use Trusted Test Labs, and benefit the consumer technology market more broadly, by modernizing the EAS and related Knowledge Database (KDB) portal.[12] Consumer technology provides massive contributions to the U.S. economy.[13] It creates high-quality jobs, lowers the cost of information, expands access to knowledge and markets, and lifts household incomes.[14] And, it supports operations and innovations in public safety and health that are critical to American life and the FCC's core mission. These products rely on the EAS to achieve these goals.[15]

As demand for consumer technology products increases and the FCC leverages the EAS to protect supply chains, continuity and resilience in the EAS process have never been more important. Modernized systems will (1) assist the FCC in its enforcement efforts by enabling better analysis of certified equipment, (2) reduce system costs and enable EAS operations to be maintained during disruptions, (3) protect sensitive data, and (4) improve TCBs' ability to carry out their important mission.

The Commission should prioritize upgrades to the EAS that reflect its importance to the U.S. economy, secure supply chains, consumers, and public safety. A modernized system, in turn, will help minimize the resources required to keep the system up and running and maintain access to the EAS and KDB portals that enable TCBs to continue their work, even through government shutdowns that threaten the development and deployment of new technologies and products in the United States.

Provisions to Mitigate Shock to Supply Chains and Detract from Affordability Must Accompany Any New Restrictions

Should the Commission decide to prohibit use of facilities based outside of the United States or MRA countries, at minimum, the agency should reduce shocks to the supply chain and avoid price jumps that could make products less affordable for consumers, inconsistent with this Administration's priorities. Such measures include:

- **Applying any new rules prospectively.** For example, the Commission should not impose restrictions on previously authorized equipment that went through newly prohibited test labs, TCBs, or accreditation bodies. Nor should the

[12] *See Second Further Notice* ¶ 76.

[13] In 2023, consumer technology generated $3 trillion in direct output and nearly 4.8 million direct jobs, with $1.59 trillion in contribution to U.S. GDP. When supply chains and household spending are included, the industry adds $3.16 trillion to GDP, about 11.4% of the entire economy. In practical terms, roughly one in nine dollars of U.S. output is tied to consumer technology. CTA, *From Innovation to Impact: The Economic Impact of the U.S. Consumer Technology Sector*, (Jan. 2026) https://www.cta.tech/research/from-innovation-to-impact-the-economic-impact-of-the-us-consumer-technology-sector-1/.

[14] *Id.*

[15] For example, a grant of certification is not valid until published through the EAS. 47 CFR § 2.915(d).

Commission force companies to breach contracts with such facilities into which they legally entered at the time of the agreement.

- **Provide a transition period of at least three years to reflect global production cycles of affected products.** As the U.S. government has recognized in related national security contexts, bringing consumer technology products to market often requires years of planning, design, sourcing, production, and logistics.[16] As discussed above, many products rely on pre-certified components. Manufacturers will require years to shift supply chains, adjust the sourcing of components, enable entities to establish new facilities, hire staff to accommodate the shifting demand, and replace existing long-term relationships.

- **Consider an expedited approval process with approved transition plans.** To mitigate supply chain shock in response to national security prohibitions in recent years, the U.S. government has established approval processes for specific types of activities or based on a conditional transition plan.[17] Providing a process in which TCBs, test labs, and accreditation bodies could establish transition plans that mitigate national security concerns could soften supply chain shocks and expected significant cost increases.

- **Reduce unnecessary PAG burden for mature test areas.** When a PAG item has a defined test procedure and a qualified lab follows it, the FCC should consider streamlining or excluding PAG review for routine cases. This would allow the FCC and TCB resources to focus on novel, ambiguous, or higher-risk technologies instead of mature test cases. This approach wouldn't reduce compliance obligations. Manufacturers would still ensure device compliance, and TCBs would review certification records. Instead, it would enhance efficiency by aligning regulatory review with technical risk.

CTA appreciates the Commission's measured approach to promoting security and integrity in the equipment authorization process. The Commission does not need to adopt further restrictions at this time but should instead focus on implementing revisions to the rules from the *Second Order*, providing incentives that can bring new technologies to consumers even faster, and upgrading the EAS to support the Commission's goals for the technology market and consumers. Should the Commission decide to adopt further restrictions, CTA urges the FCC to minimize compliance costs

[16] For example, in its final rule prohibiting certain connected vehicle products, the Department of Commerce delayed certain compliance obligations by two years for software and five years for hardware. Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles, 90 Fed. Reg. 5360 (Jan. 16, 2025) (Connected Vehicles Rule); 15 C.F.R. § 791.300, *et seq*.

[17] For example, the Commerce Department's Connected Vehicles Rule provides an opportunity for general and specific authorizations where appropriate. *Id.* The Administration has also established a conditional approval process for products that would otherwise fall under Covered List prohibitions on foreign consumer grade routers, uncrewed aircraft systems (UAS) and critical UAS components. *See, e.g.*, *FCC's Public Safety and Homeland Security Bureau Announces Conditional Approval and Exemption of Certain Uncrewed Aircraft Systems and Routers from FCC Covered List*, Public Notice, WC Docket No. 18-89, ET Docket No. 21-232, EA Docket No. 21-233, DA 26-548 (June 4, 2026).

and supply chain shocks to the greatest extent possible. CTA welcomes further engagement with the Commission on this important effort.

Respectfully submitted,

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