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Via ECFS

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

Re: Best Practices to Implement the Fast-Track Priority Review Process for Applications Tested in Trusted Labs – ET Docket No. 26-119

Dear Ms. Dortch:

The Consumer Technology Association (CTA)¹ supports the Federal Communications Commission's (FCC) implementation of the Trusted Test Lab program and urges the Office of Engineering and Technology (OET) to further streamline its process for trusted participants.

The Commission created the Trusted Test Lab program for a simple reason: once trust has been earned, the regulatory system should move at the speed of trust.

Every unnecessary review of a device with a well-documented technical history, diverts Commission expertise away from the novel technologies and genuine risks that most deserve FCC attention.² To realize these benefits, OET should implement the program in a manner that provides meaningful regulatory incentives for manufacturers that use Trusted Test Labs while allowing the Commission to focus its resources on novel and higher-risk matters.

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 Further Notice of Proposed Rulemaking*, ET Docket No. 24-136, FCC 26-28, para. 20 (rel. May 1, 2026) (Second FNPRM).

To achieve these goals, CTA urges the Commission to implement the following recommendations:

- Eliminate or substantially reduce Pre-Approval Guidance (PAG) review for Trusted Test Lab applications;
- Remove mature technologies from the PAG list;
- Expand PAG reuse to similar devices and technologies;
- Eliminate duplicate PAG review for approved Equipment Compliance Review (ECR) inquiries; and
- Enhance the reliability of the equipment authorization process during operating disruptions, such as government shutdowns.

These reforms would reduce unnecessary review, improve efficiency, strengthen the trusted testing ecosystem, and preserve oversight through accreditation, FCC recognition, Telecommunications Certification Body (TCB) review, post-market surveillance, and enforcement.

I. Eliminate or Reduce PAG Review for Trusted Test Labs

CTA supports providing relief from routine PAG review for entities with Trusted Test Lab status. OET should exempt Trusted Test Lab applications from PAG review when the applicable rules, measurement procedures, and guidance are well established.

Alternatively, once a Trusted Test Lab successfully obtains PAG approval for a specific PAG category, OET should allow future applications in that category to proceed without additional PAG review unless the application raises a novel issue, seeks a new waiver, or requires a new interpretation of the rules.

Once a laboratory has repeatedly demonstrated that it can hit the regulatory bullseye, requiring it to continuously aim at the same target does little to improve accuracy. It simply consumes time that could be devoted to genuinely difficult questions.

II. Remove Mature Technologies from the PAG List

CTA believes PAG review should focus on technologies that present unresolved technical or policy questions. As part of this broader review, OET should also consider whether the role of Trusted Test Labs can be used more effectively to streamline review of mature and well-defined technical areas.

Manufacturers commonly encounter PAG categories involving transmitter power change behavior (PWRCNG), antenna tuning functions (ANNTUN), operations above 6 GHz (OVER6GHZ), unlicensed 6 GHz operations (UN6GHZ), and ultra-wideband operations under Part 15 Subpart F (UWB15F). Although these categories remain important, many involve procedures that have been applied for an extended period and are now well understood by experienced TCBs and manufacturers.

Accordingly, we urge the Commission to remove the following categories from PAG review for Trusted Test Lab applications:

- **UWB15F** (only § 15.519 hand-held UWB devices). Environments and operating conditions for these devices are sufficiently standardized and supported by extensive certification history.
- **UN6GHZ** (U-NII devices operating in the 5.925–7.125 GHz band), including Standard Power and Very Low Power devices. Unlicensed 6 GHz functions, such as Wi-Fi 6E or Wi-Fi 7 operations, where applicable device classes and test methods have become more established.
- **PWRCNG** (power change). Existing guidance addresses situations where device software, operating state, or other conditions affect transmitter output power.
- **ANTTUN** (antenna tuning functions). Evaluations addressing antenna tuning technologies that are now common in modern mobile devices and can be tested under defined tuner states or operating configurations.
- **OVER6GHZ** (operations above 6 GHz). Higher frequency operations, which may involve specialized measurement procedures, are increasingly familiar to qualified laboratories.

If a Trusted Test Lab is accredited for the relevant scope, has demonstrated experience with the applicable FCC procedures, and documents that the device was tested under the required conditions, additional PAG review may not provide meaningful incremental benefit for routine cases involving PWRCNG, ANTTUN, OVER6GHZ, UN6GHZ, or UWB15F. OET could instead reserve PAG review for cases involving new test methods, unusual device configurations, unclear rule interpretations, limited compliance margin, or deviations from established procedures.

OET should also establish a periodic review process and remove PAG categories that have remained on the list for more than two years without significant changes to guidance or policy. This approach would maintain compliance obligations and make the authorization process more efficient by matching the level of regulatory review to the technical risk presented.

III. Expand PAG Reuse

The current PAG reuse process is too narrow. OET should allow Trusted Test Labs to reuse prior PAG determinations whenever the device type, technologies, operating characteristics, and compliance showings are substantially similar.

OET should not have to reinvent the wheel every time manufacturers present substantially similar devices. When the engineering facts remain materially unchanged, prior technical conclusions should travel with them.

IV. Eliminate Duplicate Review for Approved ECRs

Applications that rely on approved ECR determinations should not require a second PAG review.

Asking OET to review the same issue twice adds paperwork, not protection. Once the Commission has already answered the technical question, repeating the exercise rarely improves compliance – it simply delays deployment. For series models sharing the same grantee and the same TCB, OET should allow TCBs to process these applications without additional PAG review.

V. Enhance the Reliability of the Equipment Authorization Process

The Commission should incentivize the use of Trusted Labs by creating a narrowly tailored process to ensure devices subject to PAG under the equipment authorization program can continue to be approved during a federal government shutdown.

Equipment authorization interruptions, and the uncertainty they create, disrupt broader retail, logistics, and supply-chain activity on which the U.S. economy depends. Consumers spent over \$257 billion during the 2025 holiday season, including \$59.8 billion on cutting-edge electronics.³ But preparations to bring these devices to market begin far in advance of target release dates and sales periods. They require careful internal and external planning and coordination involving factories, compliance, logistics companies, advertising/public relations, and retailers. The FCC's equipment authorization process is a critical linchpin, and delays caused by government shutdowns can disrupt global manufacturing schedules, logistics operations, retail planning, and product availability.

Further, unforeseen delays in equipment authorizations cause competitive harms to manufacturers on differing product cycles. Manufacturers often release devices at predictable intervals to leverage holiday sales, tax-refund season, and seasonal inventory turnover. The unpredictable nature of government shutdowns arbitrarily harms companies that happen to have product cycles that coincide with a government shutdown. Unlucky manufacturers can see months, if not years, of investment, product development and commercialization compromised by delayed testing and authorization while others are left unharmed.

CTA applauds the Commission's efforts to maintain equipment authorizations that do not require PAG or staff support during shutdown operations.⁴ However, applications that require PAG or staff support—which often include advanced and life-saving technologies – must stop during government shutdowns. As a result, otherwise

³ Adobe for Business, *2025 Holiday Shopping Trends*, <https://business.adobe.com/resources/holiday-shopping-report.html>.

⁴ See FCC, *Plan for Orderly Shutdown Due to Lapse of Congressional Appropriation* (Jan. 30, 2026), <https://docs.fcc.gov/public/attachments/DOC-418379A1.pdf>.

complete applications can be delayed solely because OET is unavailable to review PAG submissions.

OET should close this gap and provide a powerful incentive for manufacturers to use Trusted Test Labs by allowing qualified TCBs to issue conditional grants for eligible PAG applications during a shutdown.

Under this approach:

- EAS would remain available during government shutdowns for equipment authorization activity, including FCC ID issuance, exhibit uploads, confidentiality requests, and TCB grant activity.
- Only qualified PAG authorization applications could utilize the incentive. To be qualified, a PAG application must: (1) be fully tested by a Trusted Test Lab and complete, and (2) not require a new waiver, novel rule interpretation, or new OET guidance.
- FCC-recognized TCBs in good standing would be permitted to issue conditional grants for complete, qualified PAG applications.
- The grant would be clearly identified in EAS as a shutdown-period conditional grant.
- The grantee would remain accountable for compliance and the TCB and Trusted Test Lab for its technical review.
- OET could review the grant after reopening for Post-Approval Guidance and leverage its existing authority and robust compliance tools, such as post-market surveillance and enforcement mechanisms.

The FCC has long entrusted Test Labs and TCBs to help fulfill key responsibilities to mitigate interference and protect consumers and supply chains. The proposed incentive simply allows TCBs to use their existing role during a narrow shutdown continuity period and provide a buttress against economic and public safety harms of equipment authorization disruption. The applicant would still be responsible for compliance. The TCB would still be responsible for its technical review. The device would still be subject to FCC rules, post-market surveillance and enforcement. The only change is that FCC would issue post-approval guidance during a shutdown, rather than pre-approval guidance.

An enhanced process for handling equipment authorizations during a government shutdown incentivizes the use of Trusted Test Labs, which in turn bolsters the integrity of the equipment authorization process and fosters a trusted ecosystem. Manufacturers that use Trusted Test Labs would gain greater certainty that product launches will not be disrupted by interruptions in FCC operations. That increased certainty in the equipment authorization process would support U.S. technological leadership by ensuring advanced devices and technologies are available in a timely manner to U.S. consumers, companies and public safety officials.

Trusted Test Labs and TCBs can serve as the suspension bridge that keeps commerce moving while the Commission temporarily pauses normal operations. The Commission retains every oversight and enforcement tool it possesses today.

VI. Conclusion

The Trusted Test Lab program should provide meaningful regulatory incentives to trusted participants.

Reducing PAG requirements, removing mature technologies from the PAG list, expanding PAG reuse, eliminating duplicate ECR reviews, allowing early PAG submissions, and creating an enhanced equipment authorization process during a government shutdown for trusted entities, would advance the Commission's goals of strengthening national security, promoting trusted testing infrastructure, improving program resilience, and accelerating review of compliant devices.

The Trusted Test Lab program should reward trust with efficiency, not merely recognize it with a title. By focusing the Commission's resources on where it adds the greatest value and removing unnecessary review where experience has already earned confidence, the FCC can strengthen national security, improve resilience, accelerate innovation, and make better use of its own technical expertise. That is the hallmark of smart regulation: not less oversight, but oversight directed where it matters most.

Respectfully submitted,

/s/ J. David Grossman

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/s/ Rachel Nemeth

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