Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program	)	ET Doc. No. 24-136

Comments of the
Telecommunications Industry Association

I. Introduction

The Telecommunications Industry Association ("TIA") appreciates the opportunity to provide input regarding the Further Notice of Proposed Rulemaking ("FNPRM") issued by the Federal Communications Commission ("Commission" or "FCC") in the above-captioned proceeding.[1] TIA is a U.S.-based trade association representing more than 400 trusted global manufacturers and vendors of telecommunications equipment. TIA members design, manufacture, and manage the world's digital infrastructure and information communications technology ("ITC") devices. TIA is also a standards-developing organization with a more than 80-year history of developing thousands of technical standards that allow ICT equipment and networks to operate efficiently and effectively. Both TIA and our members have institutional knowledge of the Equipment Authorization Program ("EAP"), and a deep understanding of the steps necessary to bring a device to market.

[1] *Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program*, Report & Order, Further Notice of Proposed Rulemaking, ET Doc. No. 24-136 (May 22, 2025).

As TIA explained in prior comments in this docket, we applaud the Commission's commitment to promoting trusted vendors around the world and taking steps to ensure that U.S. networks and devices are secure and resilient.[2] While this proceeding proposes changes only to the Commission's EAP, a largely behind-the-scenes process in the eyes of many consumers, it is part of a broader effort over the past few years to promote trusted ICT vendors and manufacturers and protect national security and should be understood in that context.[3]

TIA is clear-eyed about the risk that certain state-run vendors can pose when allowed to flourish globally unchecked, and we generally support the Commission's scrutiny of risks that Telecommunications Certification Bodies ("TCBs") or test labs run by foreign-adversary state actors pose. Nonetheless, ICT is a global industry, and while the existing testing and certification infrastructure is expensive, it is efficient. Any further action taken too quickly will likely result in delays or increased costs for testing and certifying could have widespread effects on U.S. consumers. It is with that in mind that we urge the Commission to continue its measured approach in this docket, balancing the need to efficiently test and certify innovative products with the imperative to mitigate demonstrable national security risks.

Specifically, any new rules to restrict labs and TCBs for certification authorization should be phased in to first exclude the most high-risk entities from the EAP and over a sufficient time period that allows industry to find alternatives while continuing to introduce new devices to the U.S. market at the pace U.S. consumers expect. Additionally, the Commission should not adopt

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[2] *See generally* Comments of TIA, ET Docket No. 24-136 (Sept. 3, 2024) ("TIA Comments"); Reply Comments of TIA, ET Docket No. 24-136 (Oct. 2, 2024) ("TIA Reply Comments").

[3] *See, e.g.*, Pub. L. No. 117 263, § 5949, 136 Stat. 2395, 3485 (2022) (prohibiting government agencies from procuring or obtaining electronic products or services that use "covered semiconductor products or services" designed, produced, or provided by specified entities); Bureau of Industry and Security, *Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles*, Final Rule, 90 Fed. Reg. 5360 (Jan. 16, 2025).

any of its proposals to restrict the successful Supplier's Declaration of Conformity ("SDoC") program, which allows for the self-approval of very low-risk, but important devices.

II. A Staggered Approach to Further Restrictions Will Limit Disruptions to the Global Testing Regime While Serving the FCC's Goals To Secure the Supply Chain

TIA recognizes the Commission's objectives to diversify the global testing industry, encourage growth in the domestic testing industry, and reduce reliance on testing based in nations that may pose national security risks.[4] These goals align with broader efforts taken in recent years to strengthen the integrity of the Commission's EAP and ensure that ICT testing and certification infrastructure supports U.S. national interests. The FNPRM asserts that approximately 75% of ICT equipment testing is currently conducted in China.[5] While this figure underscores the need to encourage the development and use of domestic and allied test labs and TCBs, it also highlights the potentially disruptive impact of revoking FCC recognition from all Chinese testing facilities.[6] Such a measure would not only affect U.S. and trusted entities currently engaged with Chinese labs but also reverberate across the global testing ecosystem.

Given the global nature of the ICT industry, the proposals, if rapidly enacted, could have drastic adverse consequences on the certification process, resulting in cost increases, testing backlogs, a strain on existing lengthy timelines, and ICT consumer supply chain disruptions in

[4] *See, e.g.*, FNPRM at ¶ 143.
[5] FNPRM at ¶ 13.
[6] *Id*. at ¶ 129 (In other words, should the Commission extend the prohibitions in this rule beyond TCBs, test labs, and laboratory accreditation bodies that are owned by, controlled by, or subject to the direction of a foreign adversary or other prohibited entity to also include those TCBs, test labs, and laboratory accreditation bodies that are subject to the *jurisdiction* of a foreign adversary country?).

the U.S. Indeed these delays would, in turn, very likely affect American consumers' access to the newest ICT innovations.

Cost Increases: As explained to TIA by a member, an internal analysis of its current certification processes found that its testing costs would increase by 30% if FCC recognition were withdrawn from all Chinese labs.[7] These costs would in turn be absorbed by American companies and ultimately passed on to U.S. consumers, potentially affecting the affordability and availability of new ICT products.

Testing Backlogs: Multiple TIA members anticipate that revoking recognition from Chinese labs would create substantial backlogs at remaining facilities and labs. Even TIA members that do not currently test in China expect to face increased costs and extended timelines due to limited capacity at alternative labs and TCBs. The sudden revocation of a major portion of global testing infrastructure would strain the remaining ecosystem, pushing testers located outside of China into longer queues and busier schedules. These backlogs could delay the introduction of new devices into the U.S. market, undermining the Commission's goal of promoting innovation and consumer access to cutting-edge technologies.

Strain on Existing Certification Timelines: The certification process already requires tens of thousands of radiofrequency chamber testing hours per device. One TIA member estimated that the current number of laboratory testing they plan for can reach around 20,000-

[7] TIA surveyed its membership to understand the practical effects of the FNPRM's proposals. While TIA membership wished to remain anonymous, TIA notes that the record already developed in the docket reflect the response from members. *See, e.g.*, Comments of Eurofins E&E Hursley Ltd Test Firm, ET Docket No. 24-136, at 1 (Aug. 11, 2025) ("The abrupt removal of large testing capacity from foreign-adversary jurisdictions will trigger major capital investment and operating cost increases for replacement facilities. Establishing a fully accredited RF/EMC test lab outside those jurisdictions typically requires USD 3 - 10 million in capital investment per site (anechoic chambers, RF amplifiers, test receivers, shielded rooms, HVAC, and calibration systems), plus 6 - 18 months for build-out, commissioning, and accreditation under ISO/IEC 17025 and FCC recognition.").

30,000 hours based on the complexity of the device being tested. While these existing timelines can be burdensome, they are predictable and add certainty to the EAP. Wholesale changes to current practices, however, could undermine this certainty and risk introducing significant delays to product launch timelines. This member raised significant concerns that undermining these timelines and introducing uncertainty would hinder manufacturers' ability to bring products to market in a timely manner, particularly for high-volume or complex devices.

Supply Chain Disruption: Sudden enactment of the proposals could introduce strategic pauses in innovation, as companies reevaluate their testing and certification strategies in light of the delays and cost increases discussed above. This disruption could affect product development cycles, delay market entry, and reduce the competitiveness of U.S. firms in the global ICT marketplace. Presently, FCC certification is a gold standard recognized in several countries, and results in U.S. consumers often being the first or among the first in the world to have access to new ICT. If FCC certification becomes unreasonably burdensome and time-consuming, it is likely that consumers and companies will recognize that other equipment authorization regimes will allow for earlier access to new ICT as compared to the U.S., causing competitive disadvantages and diminishing the global importance of an FCC device certification.

There are some actions the Commission can take to mitigate the potential disruptions to the global certification system as it pursues its national security goals. First, the Commission should refrain from broadening the scope of its actions unnecessarily given the complex realities of the global certification industry. For example, the FNPRM requests input on which definition to use for "subject to the jurisdiction of a foreign entity of concern."[8] TIA urges the Commission

[8] FNPRM at ¶ 135.

to avoid adopting a jurisdictional definition that could potentially be overbroad. For example, no definition should label a domestic or a company headquartered in a non-foreign adversary nation as "subject to the jurisdiction" of China solely because of a local subsidiary that operates in China. As the Commission considers definitions, it is important to note that the U.S. government currently employs multiple ways of determining if a company is "subject to the jurisdiction" of a foreign adversary, as the FNPRM recognizes.[9] TIA urges the FCC to work with other agencies to ensure a holistic, government-wide approach that provides industry with regulatory certainty.

In all circumstances, TIA urges the Commission to adopt a targeted and phased approach to implementing the proposals outlined in the FNPRM. Specifically, we recommend that the Commission begin by applying restrictions to a limited subset of high-risk entities and laboratories, such as those conducting certifications entirely within foreign adversary jurisdictions. This initial step would allow the Commission to address national security concerns while minimizing immediate disruption to the ICT manufacturing ecosystem. To further mitigate the potential impact that will flow on to U.S. consumers as discussed above, TIA recommends that the Commission establish a transition period that provides manufacturers with sufficient time to shift testing operations away from affected facilities. This phased implementation would put industry on notice and also allow for the expansion of domestic testing capacity, ensuring that U.S.-based and allied labs are equipped to absorb increased demand without creating bottlenecks or delays.

[9] *Id.* at ¶ ¶ 129-139 (seeking input on the various definitions of "subject to the jurisdiction" of a foreign entity).

III. The Commission Should Refrain from Rolling Back SDoC Reforms

TIA remains opposed to the Commission's proposals to limit and restrict the use of the SDoC process.[10] TIA and its members take matters of national security seriously and remain committed to working with the Commission to improve the integrity of the EAP. However, any changes to the current SDoC framework must be carefully balanced against national security concerns and the Commission's stated interest in maintaining a timely and efficient authorization process.

The Commission itself acknowledged this consideration in the FNPRM, stating that reforms "must be balanced with the significant interest in maintaining the ability of our equipment authorization program to timely review new products and allow compliant products to come to market."[11] TIA strongly agrees with this principle and believes that restricting the SDoC process would undermine this balance. Specifically, requiring that SDoC testing be conducted only at accredited and FCC-recognized laboratories would introduce additional costs and delays at a time when the Commission is already considering other proposals that would increase testing burdens globally, as discussed above. The FNPRM proposal would also divert accredited lab resources from higher-risk devices that require testing for certification to low-risk SDoC devices at a time of expected contraction in overall accredited lab testing capacity, as discussed above.

TIA maintains that such a restriction would not meaningfully improve the integrity of the EAP, and the Commission has not provided evidence that any further action reforming the current SDoC process poses a threat to the integrity of the EAP or national security interests. This is in contrast to the actions taken by the Commission in the Report and Order limiting

[10] FNPRM at ¶ 147.
[11] *Id.* at ¶ 115.

SDoC from facilities owned, controlled, or subject to the direction of a prohibited entity, which serve a clear security interest and directly falls under the prevue of the Secure Networks Act and Secure Equipment Act.[12] Instead, the FNPRM cites only vague references to "persistent and evolving threats" without articulating how the existing SDoC framework contributes to those risks or how the proposed changes would mitigate them.[13] In the absence of a clear and articulated national security rationale, TIA urges the Commission to preserve the current SDoC process.

The record in this proceeding also fails to show the need for restricting SDoC. The 2017 SDoC reforms have been a success. As TIA previously observed, the SDoC reforms have streamlined the authorization process, reduced unnecessary burdens, and improved efficiency without compromising the program's integrity or increasing national security risks.[14] Other commenters, including the Consumer Technology Association ("CTA"), expressed similar views.[15] These reforms have enabled manufacturers to bring compliant products to market more quickly and cost-effectively, benefiting both industry and consumers. To TIA's knowledge, no commenter in the record raised specific security concerns regarding the existing SDoC framework, and yet the Commission solicits further input on potential reform without providing further justification as to why such a restriction of the existing effective SDoC process is necessary.

TIA maintains that rolling back these reforms would not only increase costs for manufacturers but also reduce flexibility in the overall certification process. Many companies

[12] *Id.* ¶ 64.
[13] Id. at ¶ 115.
[14] TIA Comments at 7–8; TIA Reply Comments at 7.
[15] CTA Comments at 1–4.

rely on the SDoC pathway to certify products that pose minimal risk and do not require third-party testing. Requiring all such products to undergo testing at accredited labs would create unnecessary bottlenecks and divert resources from higher-risk certifications that warrant closer scrutiny. Moreover, the proposed changes to the SDoC process must be viewed in the broader context of the FNPRM's other proposals, which already threaten to increase testing costs and timelines across the board, albeit while serving a clearer national security interest. Layering additional restrictions on top of these changes would compound the burden on manufacturers and risk delaying the introduction of new technologies into the U.S. market. These delays would ultimately harm consumers and American companies, who may face higher prices and reduced access to innovative ICT products.

TIA continues to urge the Commission to preserve the existing SDoC framework. The current process has proven effective and efficient, and any restrictions on the current practices should be supported by demonstrable evidence of a risk these restrictions are trying to mitigate. Absent such evidence, the Commission should refrain from rolling back existing reforms that have benefited both the ICT sector and U.S. consumers more broadly.

IV. Conclusion

TIA appreciates the Commission's continued efforts to strengthen the integrity of the Equipment Authorization Program and safeguard national security. As the Commission considers the proposals outlined in the FNPRM, we urge a balanced and targeted approach that preserves the efficiency of the current testing and certification framework while addressing demonstrable risks. The ICT industry operates within a complex and global ecosystem, and abrupt or overly broad changes could have unintended consequences for manufacturers, consumers, and innovation. TIA also encourages the Commission to maintain the existing successful Suppliers

Declaration of Conformity framework and ensure that future reforms mitigate a clear risk to the integrity of the Equipment Authorization Program. We look forward to continued collaboration with the Commission in order to ensure that U.S. consumers retain access to innovative and secure ICT equipment.

_/s/_____
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