

**STATEMENT OF
CHAIRMAN THOMAS E. WHEELER
ON THE INDUSTRY AGREEMENT ON DEVICE UNLOCKING
DECEMBER 12, 2013**

Today, we see the manifestation of what I call the “see-saw rule,”—the more industry acts to meaningfully regulate itself, the less that has to be done by government. I salute and commend the wireless industry for their leadership to reach a solution on cellphone unlocking.

The voluntary industry agreement announced today caps nine months of hard work by mobile wireless providers and FCC Staff. It’s a win for consumers because of the FCC’s advocacy on their behalf and because of the industry’s responsiveness.

Specifically, this agreement provides:

- that consumers have access to clear, concise, and readily accessible policies regarding the unlocking of their phones;
- that carriers will provide customer notification or automatically unlock devices at the time of eligibility;
- that carriers will unlock devices within 48 hours or provide an explanation of denial; and
- that carriers will unlock devices for deployed military personnel.

As part of this agreement, providers have agreed to a reasonable implementation schedule. Half of the components will be implemented within the next three months and all aspects of the proposal implemented within a year. The FCC will maintain oversight of the implementation.

I am delighted with this agreement and hope that it will be quickly incorporated into CTIA’s Code of Conduct for Wireless Providers, which serves as an important expression of the compact between industry and the public. Back in 2003, when the Code first came to life, I was wearing another hat, but I explained the Code by saying, “Consumers need information to decide the winners and losers, and that information must be clear and readily available.” The result here reflects exactly what is embodied in that statement. The voluntary agreement provides consumers with more information – and yes, there will be a need for significant consumer education, and the FCC stands ready to do that in partnership with industry – but it offers greater transparency and in so doing affirms the Commission’s commitment to making competition the centerpiece of our efforts.

Our goal here was not to find agreement, congratulate all involved, and then file this document away never to be seen again. With industry input, the FCC will collect and review feedback through a website that allows consumers to access carrier policies directly, read FAQs, including information that explains technological limitations, and file complaints should there be concerns about compliance with the agreement. Careful examination of consumer data and industry practice by the Commission will allow for the seamless execution of President Reagan’s well-known adage, “Trust, but verify.”

Hopefully, today's agreement is a model for similar efforts to come. I am very proud of the work that FCC Staff and the industry have done. My thanks, again, to the FCC Staff in the Wireless Telecommunications Bureau, the Office of General Counsel, the Office of Legislative Affairs, Consumer and Government Affairs, the Wireline Competition Bureau, to Steve Largent of CTIA and the leaders of the wireless industry.