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For Immediate Release

FCC ACTS TO SPEED ACCESS TO NEW WIRELESS TECH DEVICES

Updated Rules Provide a New Framework for Innovators to Market, Import, and Pre-Sell Tech Devices Earlier in the FCC Review Process

WASHINGTON, June 17, 2021—The Federal Communications Commission today updated its radio frequency device marketing and importation rules to accelerate the timeframe for developing and releasing new wireless devices. The new rules will give innovators more flexibility to engage in crowdfunding and other popular marketing campaigns and, in specific cases, to import devices still under equipment authorization review. These changes will help consumers more quickly access must-have devices that meet the FCC’s stringent authorization requirements.

The Report and Order adopted today continues the Commission’s ongoing efforts to review and revise the FCC Office of Engineering and Technology’s equipment authorization program, which ensures that newly developed smartphones, wireless headphones, Wi-Fi routers, and other devices comply with FCC rules. The requirements ensure, among other things, that devices operate at appropriate power levels and on the correct spectrum bands without causing radio interference to other devices.

This action modernizes the Commission’s review process to ensure that it keeps pace with the rate of innovation by expanding opportunities to import, market, and conditionally sell radiofrequency equipment prior to the equipment completing the equipment authorization process. The new rules will allow manufacturers to gauge consumer interest for new products and take advantage of new mechanisms for marketing devices—like crowdfunding—while ensuring that the Commission retains appropriate oversight over the proper authorization of such devices.

Under the revised rules, this early-stage flexibility will allow limited marketing and pre-sale of wireless devices to consumers so long as the devices are not provided to consumers until those devices achieve full compliance with FCC equipment authorization requirements and consumers are informed about the conditions of the sale. The rule changes also will allow limited pre-authorization importation of radiofrequency devices into the United States for certain pre-sale activities, such as packaging and shipping to retail locations.

Action by the Commission June 17, 2021 by Report and Order (FCC 21-72). Acting Chairwoman Rosenworcel, Commissioners Carr, Starks, and Simington approving. Acting Chairwoman Rosenworcel and Commissioner Starks issuing separate statements.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).