

**STATEMENT OF  
ACTING CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Allowing Earlier Equipment Marketing and Importation Opportunities*; ET Docket No. 20-382.

We are a nation of inventors. It is in our DNA to tinker and create. It has been that way since the days of Benjamin Franklin and Thomas Jefferson. In more recent times, you see it in the creation of the internet, the personal computer, and the smart phone.

Our ability to turn scientific knowledge and engineering prowess into commercial success is legendary. Because when the United States innovation engine is in full swing, we churn out revolutionary technologies that change the world.

But to ensure this dynamism continues we need to do more than rely on past initiatives and investments. After all, other nations are eager to lay claim to our legacy of building change. So we need fresh ideas in the United States to foster new entrepreneurial activity and open up more opportunities for innovation.

That is what we put in place today. In this order, the Federal Communications Commission modernizes its rules regarding just how devices that use radiofrequency can be imported and marketed in the United States. These policies are important because they set the stage for our nation's innovation engine. They play a big role in how new products get to market.

Since the 1970's, our rules have prohibited innovators from marketing or pre-selling their products to the public before getting authorization from the FCC. Our system was designed this way to help ensure that new devices entering the United States comply with our rules and technical standards.

But the record in this proceeding shows that while the marketplace has evolved, our rules have not kept up. New sales models and assessment tools have emerged that rely on individual interest to fund products, optimize production, and match imports to anticipated sales. In these situations, our well-intentioned rules actually act as a barrier to innovation. In fact, they can reward traditional companies with access to greater resources while leaving new ones on the outside looking in.

So here we act to bring our rules more closely in line with modern marketplace realities. We help ensure that the market in the United States supports a broader set of innovators. To do so, we grant manufacturers new flexibility to market and pre-sell their devices. Under these rules, manufacturers will be able to import units of their latest devices before completing the equipment authorization process. This means innovators will be able to engage in conditional pre-sales that will allow them to get funding for their startup operations while also gauging interest for their products in the marketplace.

At the same time, we adopt safeguards to prevent devices from reaching consumers without prior authorization, including disclosure, recordkeeping, and retrieval obligations. In addition, we require that manufacturers are able to track and take back any imported devices that are not successfully certified.

Now is the right time to do this. Because with the emergence of 5G wireless services, we are entering a whole new era of connectivity. We are developing technologies that have the potential to transform broad swathes of our economy and our action today will help fuel these technologies and give more creators more opportunity to bring their innovations to market. It's exciting and it fosters the best in our American instinct to tinker, make, and create.

Thank you to those who worked on this effort, including Brian Butler, Jamie Coleman, David Duarte, Howard Griboff, Michael Ha, Ira Keltz, Muli Kifle, Paul Murray, Nick Oros, Siobahn Philemon, Jamison Prime, Ron Repasi, Dana Shaffer, Rodney Small, Tom Struble, Jim Szeliga, and Ron Williams

from the Office of Engineering and Technology; Rosemary Harold, Jeremy Marcus, Raphael Sznajder, and Ashley Tyson from the Enforcement Bureau; Michele Ellison, David Horowitz, Doug Klein, David Konczal, and Bill Richardson from the Office of General Counsel; Giulia McHenry and Michelle Schaefer from the Office of Economics and Analytics; Tom Derenge, Kari Hicks, Charles Mathias, Roger Noel, Catherine Schroeder, and Joel Taubenblatt from the Wireless Telecommunications Bureau; Ed Bartholme, Patrick Webre, and Kimberly Wild from the Consumer and Governmental Affairs Bureau; Lisa Fowlkes, Lauren Kravetz, and Zenji Nakazawa from the Public Safety and Homeland Security Bureau; Tom Sullivan and Michele Wu-Bailey from the International Bureau; Justin Faulb and Kris Monteith from the Wireline Competition Bureau; and Maura McGowan and Sanford Williams from the Office of Communications Business Opportunities.