

Testimony of the Honorable Robert E. Latta

U.S. House of Representatives

Before the U.S. House of Representatives

Committee on Energy and Commerce

Subcommittee on Communications and Technology

“A legislative hearing on H.R. 3670, the Anti-Spoofing Act of 2013, H.R. _____,
the LPTV and Translator Act of 2014, and H.R. _____, the E-LABEL Act.”

July 24, 2014

Good morning Chairman Walden, Ranking Member Eshoo, and members of the Subcommittee. Thank you for the opportunity to present testimony today on the bipartisan E-LABEL Act.

The Federal Communications Commission has instituted an equipment authorization program, where electronic devices are required to display a physical label documenting that it has been properly certified by the Commission for commercial use. The label is also intended to provide consumers with means to readily obtain additional information about the device as efficiently as possible. While the information contained on the label serves an important function and extends meaningful benefits and protections to consumers, the time has come for the Commission to update its rules to reflect modern technology and modify its equipment identification requirements to permit electronic labeling, or e-labeling, for wireless devices.

The current rule requiring physical labeling was adopted by the FCC back in the 1970s. The Commission revisited that rule in the late 1980s and while it eliminated some labeling requirements, the technological capability of wireless devices at the time was admittedly not able to fully support an equipment authorization standard other than the existing physical labeling system.

As we all know, technology, especially in the wireless market, has advanced significantly since that time and wireless devices are today equipped with numerous functionalities. They are without question able to support the modernized equipment authorization standard of e-labeling, if given the option.

Permitting e-labeling would not only facilitate efforts to bring our communications laws in line with 21st Century technologies, but it would benefit both manufacturers and consumers. Manufacturers would have increased flexibility to design innovative products that consumers demand. It would also reduce device manufacturers' development costs. According to the Telecommunications Industry Association, e-labeling could result in over \$80 million in savings per year for companies.

Consumers in my state of Ohio and across the country would also benefit from the efficiencies created by e-labeling. E-labeling can expand consumer access to relevant device information, and enhance the overall quality and availability of equipment identification records through supporting software.

The FCC recently released guidance on e-labeling. I welcome the FCC's efforts on this issue and recognize it as an important first step in promoting the use of e-labels. The E-LABEL Act will facilitate efforts at the Commission by establishing a timeframe for moving forward with a rulemaking. This will ensure that the Commission takes timely action on this issue and resolves any uncertainty that manufacturers might have in opting to use e-labels.

We are in the midst of an innovation era where new and ground-breaking technologies and devices are introduced into the information and communications technology marketplace almost daily. Our laws need to reflect this reality.

I thank Congressman Welch, Congresswoman Blackburn, and Ranking Member Eshoo for their support on this measure. I thank Chairman Walden, again, for the opportunity to present testimony on the E-LABEL Act and advance efforts to modernize our communications laws for the digital age.