Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

April 4, 2014

TCB PROGRAM ROLES AND RESPONSIBILITIES

I. INTRODUCTION

On December 17, 1998, the Federal Communications Commission (FCC) adopted rules for the establishment of Telecommunication Certification Bodies (TCB). A TCB is a private third party organization, which is authorized to issue grants, within its scope of designation, for equipment subject to the FCC's certification procedure. Under these rules, a TCB has the authority to review and grant an application for certification to the FCC rules. The rules also established procedures for foreign TCBs under the terms of a government-to-government Mutual Recognition Agreement/Arrangement (MRA).

II. TCB PROGRAM ROLES AND RESPONSIBILTIES

A. TCB Requirements

The requirements for TCBs were adopted in the FCC's Report and Order in GEN Docket No. 98-68 (FCC 98-338) on December 17, 1998.[1] Further information on the accreditation requirements for TCBs was provided in Public Notice DA 99-1640 issued on August 17, 1999. The rules were revised under ET Docket No. 03-201 (FCC 04-165) adopted on July 8, 2004. The designation process and the requirements that a TCB shall meet are contained in these rules.

TCBs are required to be accredited in accordance with ISO/IEC Guide 65 (1996), *General Requirements for Bodies Operating Product Certification Systems* or ISO/IEC 17065 (2012) *Conformity assessment-Requirements for bodies certifying products, processes and services*,[2] and with the appropriate FCC Rules. In the United States this is managed by the National Institute of Standards and Technology (NIST). NIST may allow other appropriate qualified accrediting bodies to accredit TCBs in accordance with its procedures. NIST has recognized the American National Standards Institute (ANSI) and the American Association for Laboratory Accreditation (A2LA) for compliance with ISO/IEC 17011 (2004), *Conformity assessment - General Requirements for Accreditation bodies accrediting conformity*

[1] *See* 47 CFR §§2.960 to 2.962 and §§ 68.160 to 68.162.

[2] ISO/IEC Guide 65(1996) has been replaced by ISO/IEC 17065 (2012), *Conformity Assessment Requirements for bodies certifying products, processes, and services*. The Commission has adopted a Notice of Proposed Rulemaking in ET Docket No. 13-44 (FCC 13-19) to update the references in the rules to require that TCBs be accredited to ISO/IEC 17065 (2012). Pending the outcome of this rulemaking, either ISO/IEC Guide 65(1996) or ISO/IEC 17065 (2012) may be used.

assessment bodies.[3] The accreditation bodies in turn accredit TCBs in accordance with the TCB product certification program requirements and with either ISO/IEC Guide 65 (1996) or ISO/IEC 17065 (2012).

Certification bodies located outside of the United States may be recognized as a TCB when there is a government-to-government MRA between the country they are located in and the United States.[4] It is the responsibility of the designating authority in that country to assess the competence of the TCB. The organization accrediting the prospective TCBs shall be capable of meeting the requirements and conditions in ISO/IEC 17011 (2004), *Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies.*[5]

In order to ensure the continued integrity of the accreditation program, the Office of Engineering and Technology (OET) will periodically review the accreditation process and maintain close coordination with each of the organizations that NIST has recognized to perform accreditations. OET will pursue opportunities to participate in peer review assessments under the International Accreditation Forum (IAF) Multilateral Recognition Agreements (MLA) process and to observe on-site assessments of NIST/National Voluntary Conformity Assessment System Evaluation (NVCASE) recognized accreditations. This will help ensure their continued acceptable performance and provide us with information to assess periodically their qualifications to maintain their status as Commission-recognized accreditation bodies.

B. Accreditation Requirements

A TCB is required to be accredited to the following:[6]

1. ISO/IEC Guide 65 (1996), *General requirements for bodies operating certification systems* or ISO/IEC 17065 (2012), *Conformity Assessment-Requirements for bodies certifying products, processes and services*, and
2. ISO/IEC Standard 17025 (2005), *General requirements for the competence of testing and calibration laboratories.*

C. Apply for ISO/IEC Guide 65 or ISO/IEC 17065 (2012) Accreditation

Those organizations, in the United States desiring ISO/IEC Guide 65 [or ISO/IEC 17065 (2012)] accreditation as a TCB should contact one of the following:

Mr. Reinaldo Figueiredo
American National Standards Institute
Director, Conformity Assessment
1899 L Street, NW
11th Floor
Washington, DC 20036

[3] ISO/IEC Guide 61 was replaced by ISO/IEC Standard 17011 (2004), *Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies.*

[4] *See* 47 CFR § 2.960(c).

[5] *See* fn. 3, *supra*.

[6] ISO/IEC documents are available through the American National Standards Institute, at http://webstore.ansi.org/ansidocstore/default.asp.

Tel: 202-331-3611
Fax: 202-293-9287
E-mail: rfigueir@ansi.org
Web Page: www.ansi.org

Mr. Adam Gouker
American Association for Laboratory Accreditation
A2LA Accreditation Manager/EMC Program Manager
5301 Buckeystown Pike
Suite 350
Frederick, MD 21704
Tel: 301-644-3217
Fax: 301-622-2974
E-mail: agouker@A2LA.org
Web Page: www.a2la.org

Organizations outside of the United States should determine if there is a MRA with the United States that covers their location, and then contact the designating authority for their country. Information regarding applicable MRAs can be found at: http://www.fcc.gov/oet/ea/mra/.

D. TCB Scope of Accreditation

TCBs may be accredited to certify products to one or more of the scopes of accreditation listed in Table 1. It is not necessary to be accredited to all of Scope A, B or C. The TCB may choose which of the following scopes they wish to be accredited to perform.

Table 1 – TCB Scope of Accreditation

Scope A – Unlicensed Radio Frequency Devices	
A1	Low power transmitters operating on frequencies below 1 GHz (with the exception of spread spectrum devices), emergency alert systems, unintentional radiators (e.g., personal computers and associated peripherals and TV Interface Devices) and consumer ISM devices subject to certification (e.g., microwave ovens, RF lighting and other consumer ISM devices)
A2	Low power transmitters operating on frequencies above 1 GHz, with the exception of spread spectrum devices
A3	Unlicensed Personal Communication Service (PCS) Devices
A4	Unlicensed National Information Infrastructure (UNII) devices and low power transmitters using spread spectrum techniques
Scope B – Licensed Radio Service Equipment	
B1	Commercial Mobile Services in 47 CFR Parts 20, 22 (cellular), 24, 25, and 27
B2	General Mobile Radio Services in 47 CFR Parts 22 (non-cellular), 73, 74, 90, 95 and 97

B3	Maritime and Aviation Radio Services in 47 CFR Parts 80 and 87
B4	Microwave Radio Services in 47 CFR Parts 27, 74 and 101
Scope C – Telephone Terminal Equipment	
C1	Telephone terminal equipment in 47 CFR Part 68

E. Evaluation, Review and Decision on Certification

Evaluation includes the testing of a device to the technical requirements of the FCC rules by a measurement facility that meets the requirements of ISO/IEC 17025.

Review includes the assessing the test report and related supporting information to determine compliance with the applicable FCC requirements.

Decision on Certification includes an assessment of the evaluation and review processes to determine that the device is compliant with all applicable requirements and may be authorized.

For a TCB accredited to ISO/IEC Guide 65 (1996), the evaluation of the product,[7] including type-testing of a product sample and evaluation of supporting documentation, to determine compliance with the FCC requirements; and the decision on certification must be performed by different individuals.[8]

For a TCB accredited to ISO/IEC 17065 (2012), the evaluation of the product,[9] including type-testing of a product sample and evaluation of supporting documentation to determine compliance with the FCC requirements must be performed by different individuals than those who review all information and results related to the evaluation,[10] and those that make the decision on certification.[11] ISO/IEC 17065 (2012) requires that the individual(s) performing the review and decision on certification functions be different from those performing the evaluation function. Therefore, the individuals(s) involved in the evaluation, including the testing of the product, must be different than the individual(s) performing the review and making the decision on certification. The individual(s) performing the review may be the same individual that performs the decision on certification.

[7] ISO/IEC Guide 65 (1996), clause 10; ISO/IEC 17065 (2012), clause 7.4.

[8] ISO/IEC Guide 65 (1996), clause 12; ISO/IEC 17065 (2012), clause 7.6.

[9] ISO/IEC 17065 (2012), clause 7.4.

[10] ISO/IEC 17065 (2012), clause 7.5.

[11] ISO/IEC 17065 (2012), clause 7.6.

F. Impartiality

As required by ISO/IEC Guide 65 (1996) and ISO/IEC 17065 (2012), a TCB shall ensure that activities of related bodies do not affect the confidentiality, objectivity and impartiality of its decision on certification, and it shall not give advice or provide consultancy services to the applicant as to methods of dealing with matters which are barriers to the certification requested.[12]

G. Location of TCB

A TCB is required to be permanently located in the territory in which it is designated, which may be within the United States or in an MRA partner territory. TCB personnel may perform their duties while remotely located from the permanent TCB facility. When certification personnel work remotely, the TCB shall have appropriate management controls in place to assure that the quality system is followed. The TCB facility and the TCB accredited testing laboratory may be in different physical locations, but must be located within the same country. In such cases, the TCB shall show what procedures are in place to provide reasonable access to a testing facility by the certification personnel. An employee who evaluates applications for certification shall have access to appropriate testing facilities and be able to test products for their given area of expertise, when necessary. The ability to perform such testing by the certification personnel who perform the evaluation function shall be considered during the ISO/IEC Guide 65 (1996) or ISO/IEC 17065 (2012) assessment.

H. TCB Exclusion List

When establishing the requirements for Telecommunications Certification Bodies (TCBs), the Commission stated that while it intended to allow TCBs to certify a broad range of equipment, certain functions should continue to be performed by the Commission. In accordance with the requirements in 47 C.F.R. Part 2, a TCB shall not grant waivers of Commission rules; certify equipment where FCC rules do not apply; or act on rules that are unclear; in addition, the TCB shall not authorize a transfer of grantee control; and may not interpret the FCC rules.[13] The specific list of items excluded from certification by a TCB has been discontinued. TCBs are now allowed to certify the items previously included on the TCB Exclusion List under the Permit-but-Ask procedures. In cases where the FCC has not provided specific guidance or the applicant intends to use alternatives to published procedures or guidelines to demonstrate compliance, such applications are subject to approval using the Permit-but-Ask procedures.[14] .

I. Permit-but-Ask Procedure

The Permit-but-Ask procedure is intended to further extend the types of devices that are acceptable for issuance of a grant by a TCB, but allow FCC oversight for those types of devices that are not sufficiently "technically-mature" for unrestricted TCB approval. TCBs may approve devices on the Permit-but-Ask list, but must obtain FCC guidance prior to approval.

---

[12] ISO/IEC Guide 65, clause 4.2(o); ISO/IEC 17065 (2012), clause 4.2.

[13] *See* Sections 2.962(f)(5)(i), 2.962(f)(1), and 2.962(c)(4).

[14] The Permit-but-Ask procedures are described in KDB Publication No. 388624. The Commission may, in very special circumstances, may revise the Exclusion List. *See also* KDB Publication No. 628591.

J. Testing Capability

A TCB is required to have the necessary capability to perform a "core" set of tests, for each scope of accreditation. To ensure that it is capable of performing the tests within its scope of accreditation, the TCB shall be accredited to ISO/IEC Standard 17025 (2005) with an appropriate scope of accreditation.[15]

K. Scope of Accreditation for TCB Laboratory

The testing laboratory portion of the TCB shall be accredited to ISO/IEC 17025 (2005) with a scope of accreditation covering the regulations and measurement procedures listed in Table 2.[16] It should be noted that further guidance on the measurement techniques to be used for a given regulation may be found in the associated FCC Report and Order, FCC Public Notice, FCC Bulletin or guidance as specified in the related FCC KDB.

When the TCB does not have the capability to perform Hearing Aid Compatibility (HAC) and/or Radio Frequency (RF) exposure testing, it is acceptable for the TCB to outsource the HAC and/or RF exposure testing to a ISO/IEC 17025 accredited testing laboratory that has a scope of accreditation covering the applicable HAC and/or RF exposure standard(s) listed in Table 2.

Table 2 – ISO/IEC 17025 Accredited Laboratory Scope of Accreditation

Scope A – Unlicensed Radio Frequency Devices	
A1	1. 47 CFR Parts 11 *(Emergency Alert System (EAS))*, 15 (*Radio Frequency Devices)* and 18 *(Industrial, Scientific, and Medical Equipment)* 2. FCC MP-5, (February 1986) *FCC Methods of Measurements of Radio Noise Emissions From Industrial, Scientific, and Medical Equipment* 3. ANSI C63.4-2003, *American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz or* 4. ANSI C63.4-2009, *American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz or* 5. ANSI C63.10-2009, *American National Standard for Testing Unlicensed Wireless Devices*
A2	1. 47 CFR Part 15 (*Radio Frequency Devices)* 2. ANSI C63.4-2003, *American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz or* 3. ANSI C63.4-2009, *American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz or* 4. ANSI C63.10-2009, *American National Standard for Testing Unlicensed Wireless Devices*
A3	1. 47 CFR Part 15 (*Radio Frequency Devices)* 2. ANSI C63.17-2006, *American National Standard for Methods of Measurement of the Electromagnetic and Operational Compatibility of Unlicensed Personal Communications Services (UPCS) Devices* 3. ANSI C63.10-2009, *American National Standard for Testing Unlicensed Wireless Devices* 4. IEEE Std 1528™-2003, *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific*

[15] ISO/IEC 17025 (2005), *General requirements for the competence of testing and calibration laboratories*.

[16] *See* the FCC OET equipment authorization web page for links to the referenced measurement techniques http://www.fcc.gov/oet/ea/eameasurements.html.

	Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques[17] 5. IEEE Std 1528a™-2005 (Amendment to IEEE Std 1528™-2003), *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques*
A4	1. 47 CFR Part 15 (*Radio Frequency Devices)* 2. ANSI C63.10-2009, *American National Standard for Testing Unlicensed Wireless Devices* 3. IEEE Std 1528™-2003, *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques*[18] 4. IEEE Std 1528a™-2005 (Amendment to IEEE Std 1528™-2003), *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques*
Scope B – Licensed Radio Service Equipment	
B1	1. 47 CFR Parts 2 *(Frequency Allocations and Radio Treaty Matters; General Rules and Regulations), 20 (Commercial Mobile Services, 22 (Public Mobile Services), 24 (Personal Communications Services), 25 (Satellite Communications), and 27 (Miscellaneous Wireless Communications Services)* 2. ANSI/TIA-603-C (2004), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards* 3. IEEE Std 1528™-2003, *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques*[19] 4. IEEE Std 1528a™-2005 (Amendment to IEEE Std 1528™-2003), *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques* 5. ANSI C63.19 (2011) *American National Standard Methods of Measurement of Compatibility between Wireless Communications Devices and Hearing Aid*
B2	1. 47 CFR Parts 2 (*Frequency Allocations and Radio Treaty Matters; General Rules and Regulations*), 22 (*Public Mobile Services*), 73 (Broadcast Radio Services, 74 (*Experimental Radio Auxiliary, Special Broadcast and Other Program Distributional Services*), 90 (*Private Land Mobile Radio Services*), 95 (*Personal Radio Services*), and 97 (*Amateur Radio Services*) 2. ANSI/TIA-603-C (2004), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards* 3. ANSI C63.19 (2011) *American National Standard Methods of Measurement of Compatibility between Wireless Communications Devices and Hearing Aids*
B3	1. 47 CFR Parts 2 (*Frequency Allocations and Radio Treaty Matters; General Rules and Regulations*), 80 *(Stations in the Maritime Services)* , and 87 (*Aviation Services*) 2. ANSI/TIA-603-C (2004), *Land Mobile FM or PM Communications Equipment Measurement and*

[17] In addition to IEEE 1528-2003 guidance for RF exposure evaluation, additional information is available from the FCC website through Knowledge Database publications (KDB) at www.fcc.gov/labhelp. These are collectively referred to in this document as the *published RF exposure KDB procedures* that provide RF exposure test and evaluation support for the specific products, wireless technologies, test methodologies and equipment approval policies. *See* KDB 447498 and KDB 865664 for general RF exposure guidance.

[18] *Id.*

[19] *Id.*

	Performance Standards
B4	1. 47 CFR Parts 2 (*Frequency Allocations and Radio Treaty Matters; General Rules and Regulations*), *27 (Broadband Radio Services (BRS) and Educational Broadband Services (EBS))*, 74 (*Experimental Radio Auxiliary, Special Broadcast and Other Program Distributional Services*), and 101 (*Fixed Microwave Services*) 2. ANSI/TIA-603-C (2004), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards*
Scope C – Telephone Terminal Equipment	
C1	1. 47 CFR Part 68, *Connection of Terminal Equipment to the Telephone Network* 2.. TIA-968-B (September 22, 2009), *Telecommunications - Telephone Terminal Equipment - Technical Requirements for Connection of Terminal Equipment to the Telephone Network*

L. Transition Period

1. **For New Measurement Methods:** It is recognized that it will take time for a TCB's laboratory to update their ISO/IEC 17025 scope of accreditation when changes are made to the list of required test methods. To allow time for the TCB's laboratory to update their scope of accreditation, a period of two years from the date of the new procedure being required by the FCC is allowed for the TCB's laboratory to update their ISO/IEC 17025 scope of accreditation.
2. **For ISO/IEC 17065 (2012):** The adoption of ISO/IEC 17065 (2012) and the changes referencing it in this document may be affected by the outcome of the rulemaking in ET Docket No. 13-44, FCC 13-19. The Report and Order will address the transition timeline for compliance.

M. Core Test Equipment Requirements

Requirements for "core" test equipment are given in the FCC Public Notice, DA 99-1640, released August 17, 1999. The TCB laboratory is required to have the test instrumentation necessary to perform each of the "core" tests identified in the Public Notice. The TCB laboratory shall have the test equipment necessary to perform the "core" tests available during the ISO/IEC Guide 65 or ISO/IEC 17065 (2012) on-site assessment.

N. Key Personnel

As required in ISO/IEC Guide 65, clause 4.5.3(c) and ISO/IEC 17065 (2012), clause 6.1.2.1, the TCB must establish, implement and maintain a procedure for the management of competencies of personnel involved in the certification process. The TCB shall maintain a list of "the names, qualifications, experience and terms of reference of the senior executive and other certification personnel, both internal and external.

As required in ISO/IEC Guide 65 clause 5.2.3 and ISO/IEC 17065 (2012), clause 6.1.2.2, information on the relevant qualifications, training and experience of each member of the personnel involved in the certification process shall be maintained by the certification body. Records of training and experience shall be kept up to date, in particular the following:

1. Name and address
2. Employer(s) and position held

3. Educational qualification and professional status
4. Experience and training in each field of the certification body's competence
5. The assessment of competence
6. Performance monitoring
7. Authorizations held within the certification body
8. Date of most recent updating of each record

Each TCB shall have a key administrative employee who is the central contact for all non-technical inquiries to and from the FCC. The name and email address of this employee will be provided to the FCC by the designating authority.

Each employee that performs the certification functions of evaluation, review, and decision on certification shall be interviewed during the accreditation assessment at least once every two years. The accreditation body may request in advance of an assessment that the personnel involved with a particular area of interest be available during an assessment. For all initial TCB accreditation assessments, all employees performing these functions must be physically present; however, during subsequent surveillance and renewal assessments, the accreditation body may conduct remote assessments of these individuals at its own discretion (based on the TCB's performance or other relevant factors).

A TCB shall notify their designating authority and accreditation body within 30 days of any changes in key employees. The TCB may be subject to a reassessment when there is a change in key employees that affects the technical competence of the TCB. When a TCB adds a new key employee, the employee shall be assessed (either on-site, or remotely, at the accreditation body's discretion) prior to the designating authority entering the employee information in the FCC database.

O. Resources for Evaluation (testing), Review, and Decision Making

A TCB may utilize resources subject to the following:

1. Evaluation may be undertaken using either internal or external resources or may be outsourced, provided that the requirements of ISO/IEC 17065 (2012), Clauses 6.2, 7.4, 7.5, and 7.6 are met.
2. Review and Decision on Certification shall be undertaken by internal resources and shall not be outsourced. Note that the use of external personnel under contract is not outsourcing.[20]
3. The TCB shall take responsibility for all activities outsourced to another body or by an external resource.
4. The grant of certification is the responsibility of, and shall be issued by, the TCB recognized by the FCC.
5. The TCB shall ensure that all evaluation activities, performed by internal or external resources, are managed in a manner that provides confidence in the results and that the TCB has records to justify the confidence. All TCB personnel, including external personnel under contract, are required to comply with the rules defined by the certification body.[21]
6. Adequate oversight and quality control procedures are in place to ensure that all applications

[20] ISO/IEC 17065(2012), clause 6.2.2.1 note 2.

[21] ISO/IEC 17065(2012), clause 6.1.3.

for certification are evaluated consistently.

7. The person who reviews applications for certification, as well as the person making the decision for granting certification, are identified as key employees in the FCC Equipment Authorization Electronic Filing System.
8. The TCB shall ensure that the external resource or body that provides the outsourced services, and the personnel that it uses, are not involved, either directly or through any other employer, in such a way that the impartiality of the results could be compromised or questioned. The TCB shall maintain impartiality as required by ISO/IEC Guide 65 (1996) or ISO/IEC 17065 (2012).[22]
9. The contract(s) under which the external resource or outsourced activities are performed are reviewed during the assessment to ensure that all TCB and ISO/IEC Guide 65 (1996) (or ISO/IEC 17065 (2012)) requirements are met.
10. An employee who reviews applications for certification shall have access to appropriate testing facilities and be able to perform product testing, when necessary.

P. TCB Information Maintenance

TCBs are expected to keep the FCC informed of current contact information as shown in the FCC database (https://apps.fcc.gov/tcb/TcbHome.do). TCBs shall notify their designating authority when there are changes to key information, such as changes in the key employees, address, name, and accreditation expiration date. For TCBs located in the United States, the TCB shall contact the NIST. For TCBs outside of the United States, under the terms of a government-to-government MRA, the TCB shall contact their designating authority to report any changes. The designating authority will then update the information in the FCC database.

Q. TCB Personnel Training

As required in ISO/IEC Guide 65, clause 5.2 and ISO/IEC 17065 (2012), clause 6.1.2.2, the TCB shall maintain information on the relevant qualifications, training and experience of each member of the personnel involved in the certification process. The TCB shall provide records demonstrating that each of their certification personnel that perform an evaluation of products subject to certification has successfully completed training covering their area of operation. The TCB as an entity shall have personnel trained covering their scope as a TCB. This training may consist of either attendance at relevant external training courses, or internal training courses. Records shall be maintained of such training courses including: attendance, instructors, instructor qualifications, course content, and results of any tests given during the course.

TCBs are also strongly encouraged to participate in additional training opportunities including conference calls with the FCC, TCB workshops and/or any other applicable conformity assessment/equipment authorization workshops.

R. TCB Acceptance of Test Data

Equipment subject to certification under Part 15 or 18 of the FCC Rules are required to be tested at measurement facilities that have either been listed with the FCC, or at an FCC recognized, accredited

[22] ISO/IEC Guide 65 (1996) Clause 4.2(a); ISO/IEC 17065 (2012), clause 4.2.1.

testing laboratory.[23] The listing of a test site applies to a specific test facility. When filing an application for certification, the TCB is required to enter the name of the test site from the list of recognized test sites as shown in the Equipment Authorization System (EAS).

47 C.F.R. Section 2.962(f)(2) states that "a TCB shall accept test data from any source, subject to the requirements in ISO/IEC Guide 65 (1996) (ISO/IEC 17065 (2012)), and shall not unnecessarily repeat tests." ISO/IEC Guide 65, clause 4.3 (ISO/IEC 17065 (2012), clause 6.2) requires that the certification body observe, as appropriate, the requirements for the suitability and competence of bodies or persons carrying out testing as specified in ISO/IEC Standard 17025 (2005).

When accepting test data in support of an application for certification, the TCB shall review the test report, and needs to be confident that the product meets the relevant requirements before it certifies the product. The process used by the TCB for the acceptance of test data will be reviewed during the ISO/IEC Guide 65 (1996) or ISO/IEC 17065 (2012) assessment. For certification to Parts 15 and 18, under scope A, the TCB at a minimum needs to require that the product be tested at measurement facility that has either been Section 2.948 listed with the FCC or at a measurement facility that has been accredited and FCC-recognized. The TCB shall have confidence in the test data as established under the TCB procedure for acceptance of test data. For certification to the licensed device rule sections of 47 C.F.R., under scope B, the TCB shall have confidence in the test data as established under the TCB procedure for acceptance of test data.

When reviewing the application for certification, including the test report, the TCB shall evaluate the following elements of the application for certification to determine the suitability of the test data:

1. Clearly defined test procedures
2. Method of test validation
3. Clearly defined test configurations
4. A brief description of the test facilities – photo(s) and block diagram(s) of test setup
5. Calibration dates and traceability of all test equipment
6. Verification that the test report is valid and testing was completed at the testing facility identified by the personnel identified in the report.

S. Test Procedures

When evaluating an application for certification, a TCB shall assure that the appropriate test procedures have been followed. Any party making measurements to show compliance with the FCC rules needs to select the appropriate measurement methods as required and specified in the particular section of the FCC rules. For example, for Part 15 devices, see Sections 15.31, 15.32, 15.33, and 15.35. The FCC Knowledge Database provides additional guidance on testing devices subject to the FCC rules. An aid in determining the appropriate test procedures to be followed can be found on the FCC Measurement Procedures web page.

T. Records Retention

The TCB shall retain for five years all documentation associated with the approval of a product subject to certification by the FCC.

[23] *See* 47 CFR 2.948(a)(2).

U. Interpretation of FCC Rules

A TCB may not interpret the FCC rules and questions regarding the interpretation of the FCC rules need to be directed to the FCC. A TCB may not grant a waiver of the FCC rules, or certify equipment for which the Commission rules or requirements do not exist, or for which the application of the rules or requirements is unclear.[24]

V. TCB Post-Market Surveillance Requirements

47 CFR Section 2.962(g)(2) requires a TCB to conduct appropriate post-market surveillance activities. These activities shall be based on type testing a few samples of the total number of product types that the TCB has certified. Other types of surveillance activities of a product that has been certified are permitted provided they are no more onerous than type testing. The FCC has provided guidance in KDB Publication No. 610077, for performing post-market surveillance.

W. List of TCBs

A list of recognized TCBs and their scope of accreditation may be searched for on the FCC webpage at https://apps.fcc.gov/tcb/TcbHome.do. The TCB search link will allow for searching for a specific TCB, or if the search fields are left blank, a listing of all TCBs will be presented.

X. References

1. FCC 98-338, GEN Docket 98-68, *Streamline The Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, and Implement Mutual Recognition Agreements.* http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-98-338A1.pdf
2. DA 00-1223, *OET and CCB Announce The Designation Of Telecommunication Certification Bodies (TCBs) to Approve Radiofrequency and Telephone Terminal Equipment.* *http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-00-1223A1.pdf*
3. DA 01-180, *European Conformity Assessment Bodies Accepted to Certify or Test Radiofrequency and Telephone Terminal Equipment in Accordance with the Terms of the US-EU Mutual Recognition Agreement.* http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-01-180A1.pdf
4. DA 99-1640, *FCC Provides Further Information On The Accreditation Requirements For Telecommunication Certification Bodies GEN Docket 98-68.* http://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1999/da991640.doc
5. DA 00-2224, *FCC Will No Longer Accept Equipment Authorization Applications For Class B Computers and Peripheral that Can Be Self-Approved.* http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-00-2224A1.pdf

[24] *See* 47 CFR § 2.962(f)(5).

CHANGE NOTICE

04/04/2014: 641163 D01 TCB Program Roles and Resp v02 replaces 641163 D01 TCB Program Roles and Resp v01r01. Changes to the document including the following items:

- Updated document to include references to ISO/IEC 17065 (2012).
- Modified Key Employee guidance.
- Updated outdated web links.
- Added ISO/IEC 17065 transition clause.
- Added requirement for accredited lab assessment for C63.19.
- Removed reference to TIA-968-A.
- Updated information on contract employees/external resources and outsourcing.
- Modified acceptance of testing report section.
- Clarified requirements for evaluation, review and decision on certification.