

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Promoting Consumer Choice and Wireless Competition Through Handset Unlocking Requirements and Policies*, WT Docket No. 24-186, Notice of Proposed Rulemaking (July 18, 2024)

If you are interested in technology, get yourself to the Smithsonian Natural History Museum. It is hosting a special exhibit titled “Cellphone: Unseen Connections.” The display at the museum is a tour de force of mobile phone history, with devices that are bricks, bars, flips, and slides. It is a reminder of how far we have come with this technology, and how deeply we depend on our wireless phones.

So much about these devices has changed in such a short time. In fact, it was not that long ago when unlocking a mobile handset—which lets you take your phone with you to any wireless provider you choose—violated copyright law. I think that is crazy. A lot of consumers thought so, too. Because a decade ago a petition landed at the White House demanding change. Congress took up the call and passed the Unlocking Consumer Choice and Wireless Competition Act. The law made clear consumers were not doing anything illegal when they used their old phone to sign up for service with a new provider. This was good for consumers and good for competition.

But sweeping out the dusty remnants of copyright law was not enough. Because despite the efforts of Congress to address unlocking in this law, the efforts of the Federal Communications Commission to reinforce it in spectrum auctions and transactions, and the efforts of the Department of Justice to impose it as a merger condition, restrictions on consumers unlocking their phones have persisted.

It is time to end them once and for all. You bought your phone, you should be able to take it to any provider you want.

Some providers already operate this way. Others do not. In fact, some have recently increased the time their customers must wait until they can unlock their device by as much as 100 percent. Enough. We can put in place a nationwide standard because it is in the best interest of consumers and competition. So today we propose that all mobile wireless service providers unlock phones 60 days after the device is activated and we seek public comment on doing so. This is simple. This is clear. This is how we build a digital future that works for everyone.

Though our mobile devices have now made it into a museum, the history of cellphones is still being written. The rulemaking we adopt today to ensure all mobile wireless service providers unlock phones for consumers can easily be the next chapter. In fact, I think we can get this done before the exhibit at the Smithsonian closes. So let’s get to it.

Thank you to the staff responsible for this rulemaking, including Cameron Duncan, Barbara Esbin, Garnet Hanly, Eli Johnson, Susannah Larson, Jennifer Salhus, and Joel Taubenblatt from the Wireless Telecommunications Bureau; Johannes Bauer, Nicholas Copeland, Judith Dempsey, Pramesh Jobanputra, Catherine Matraves, Giulia McHenry, Molly Schwarz, Austin Stein, and Donald Stockdale from the Office of Economics and Analytics; Michele Ellison, Michael Janson, Douglas Klein, David Konczal, Keith McCrickard, Joel Rabinovitz, Anjali Singh, and Chin Yoo from the Office of General Counsel; Robert Aldrich, Eduard Bartholme, Aaron Garza, Wesley Platt, Suzy Rosen Singleton, and Kim Wild from the Consumer and Governmental Affairs Bureau; Regina Brown, Jane Kelly, Ryan McDonald, and Victoria Randazzo from the Enforcement Bureau; Adam Copeland, Melissa Kinkel, and Edward Krachmer from the Wireline Competition Bureau; and Michael Gussow and Joycelyn James from the Office of Communications Business Opportunities.