

**Federal Communications Commission  
Office of Engineering and Technology  
Laboratory Division**

December 16, 2015

**Draft Laboratory Division Publications Report**

**Title:** TCB Program Roles and Responsibilities

**Short Title:** TCB Program Roles and Resp

**Reason:** Update procedures due to changes in Equipment Authorization Order

**Publication:** 641163 D01 TCB Program Roles and Resp v03r01

**Keyword/Subject:** TCB Program Roles and Responsibilities

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**Question:**

What guidance does the FCC provide Telecommunication Certification Bodies (TCBs) regarding their roles and responsibilities for recognition by the FCC?

**Answer:**

The FCC provides guidance to TCBs, and an overview of the TCB program, in the TCB Program Roles and Responsibilities publication: [641163 D01 TCB Program Roles and Resp v03r01](#) attached below.

**Attachment List:**

[641163 D01 TCB Program Roles and Resp v03r01](#)

## **Attachment 641163 D01 TCB Roles and Resp v03r01**

### **Federal Communications Commission Office of Engineering and Technology Laboratory Division**

December 16, 2015

## **TCB PROGRAM ROLES AND RESPONSIBILITIES**

### **I. INTRODUCTION**

The Commission has adopted rules to facilitate the continued rapid introduction of new and innovative products to the market while ensuring that these products do not cause harmful interference to each other or other communications devices and services. The Telecommunication Certification Body (TCB) program was established in 1998 and updated in 2014 as part of a review of the Commission's equipment authorization program.<sup>1</sup> A TCB is a private third-party organization, which is authorized to issue grants of certification, within its scope of recognition, for equipment subject to the Commission's certification procedures. Under these rules, a TCB has the authority to review and grant an application for certification for a product subject to the FCC certification rules. The rules also established procedures for the recognition of foreign TCBs under the terms of a government-to-government Mutual Recognition Agreement/Arrangement (MRA).

### **II. TCB PROGRAM ROLES AND RESPONSIBILITIES**

#### **A. TCB Requirements**

The requirements for TCBs were adopted in the FCC Report and Order in GEN Docket No. 98-68 (FCC 98-338) on December 17, 1998.<sup>2</sup> Further information on the accreditation requirements for TCBs was provided in FCC 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, and ET Docket No. 13-44 (FCC 14-208) adopted on December 17, 2014. 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 17065:2012 *Conformity assessment—Requirements for bodies certifying products, processes and services*,<sup>3</sup> 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 qualified accrediting bodies to accredit TCBs in accordance with its procedures. NIST has recognized the American National Standards Institute (ANSI) and the American

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<sup>1</sup> See FCC 98-338, December 17, 1998, the Commission adopted rules for the establishment of Telecommunication Certification Bodies (TCB). See FCC 14-208, December 17, 2014, the Commission updated the radiofrequency (RF) equipment authorization program.

<sup>2</sup> See 47 C.F.R. §§ 2.960 to 2.964 and §§ 68.160 to 68.162.

<sup>3</sup> ISO/IEC Guide 65:1996 has been replaced by ISO/IEC 17065:2012. As of September 15, 2015, a TCB is required to be accredited to ISO/IEC 17065 instead of ISO/IEC Guide 65. See 47 CFR § 2.950(b).

Association for Laboratory Accreditation (A2LA) to accredit TCBs located in the United States in accordance with ISO/IEC 17011:2004, *Conformity assessment—General Requirements for Accreditation bodies accrediting conformity assessment bodies*.<sup>4</sup> These accreditation bodies in turn accredit TCBs in accordance with the TCB product certification program requirements and with ISO/IEC 17065:2012.

Third-party 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.<sup>5</sup> 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.<sup>6</sup>

To ensure the continued integrity of the accreditation program, the FCC 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 and with each of our MRA partners. 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.

## **B. Accreditation Requirements**

A TCB is required to be accredited to the following:<sup>7</sup>

1. ISO/IEC 17065:2012, *Conformity Assessment—Requirements for bodies certifying products, processes and services*, and
2. ISO/IEC 17025:2005, *General requirements for the competence of testing and calibration laboratories*.

## **C. ISO/IEC 17065:2012 Accreditation**

Organizations in the United States desiring to be accredited as a TCB should contact one of the following:

Mr. Reinaldo Figueiredo  
American National Standards Institute  
Director, Conformity Assessment  
1899 L Street, NW  
11<sup>th</sup> Floor  
Washington, DC 20036  
Tel: 202-331-3611  
Fax: 202-293-9287  
E-mail: [rfigureir@ansi.org](mailto:rfigureir@ansi.org)  
Web Page: [www.ansi.org](http://www.ansi.org)

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<sup>4</sup> ISO/IEC Guide 61 was replaced by ISO/IEC 17011:2004.

<sup>5</sup> See 47 C.F.R. § 2.960(c).

<sup>6</sup> See fn. 3, *supra*.

<sup>7</sup> ISO/IEC documents are available through the American National Standards Institute, at: <http://webstore.ansi.org/default.aspx>.

Mr. Adam Gouker  
 American Association for Laboratory Accreditation  
 A2LA Accreditation Manager/EMC Program Manager  
 5202 Presidents Court  
 Suite 220  
 Frederick, MD 21703  
 Tel: 301-644-3217  
 Fax: 301-622-2974  
 E-mail: [agouker@A2LA.org](mailto:agouker@A2LA.org)  
 Web Page: [www.a2la.org](http://www.a2la.org)

Organizations outside the United States should determine if there is a government-to-government Telecommunications MRA with the United States that covers their location, and then contact the designating authority for their country. A list of FCC recognized TCB designating authorities is available at: [https://apps.fcc.gov/oetcf/tcb/reports/accreditor\\_report.cfm](https://apps.fcc.gov/oetcf/tcb/reports/accreditor_report.cfm). 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**

<b>Scope A – Unlicensed Radio Frequency Devices</b>	
<b>A1</b>	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)
<b>A2</b>	Low power transmitters operating on frequencies above 1 GHz, with the exception of spread spectrum devices
<b>A3</b>	Unlicensed Personal Communications Service (PCS) Devices
<b>A4</b>	Unlicensed National Information Infrastructure (U-NII) devices and low power transmitters using spread spectrum techniques
<b>Scope B – Licensed Radio Service Equipment</b>	
<b>B1</b>	Commercial Mobile (Radio) Services in 47 CFR Parts 20, 22 (cellular), 24, 25, and 27
<b>B2</b>	General Mobile Radio Services and Citizen Band Radio Services in 47 CFR Parts 22 (non-cellular), 73, 74, 90, 95, 96, and 97

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

## E. Application, Evaluation, Review, and Certification Decision

As part of the Application activity, the certification body shall obtain all of the necessary information to complete the certification process. The TCB shall conduct a review of the information submitted with the application as required in ISO/IEC 17065:2012, 7.3.<sup>8</sup> See Table 2 for a summary of the certification process.

The Evaluation activity is a combination of the Selection and Determination functions of conformity assessment activities,<sup>9</sup> and includes documentation review and testing of a device to the technical requirements of the FCC rules. Testing of the device shall be performed by an FCC-recognized accredited testing laboratory (ISO/IEC 17025).<sup>10</sup>

The Review activity includes a review of all of the information and results related to the Evaluation activity. The TCB shall review the test report and related supporting information (exhibits) to determine compliance with the applicable FCC requirements.<sup>11</sup>

The Certification Decision activity includes an assessment of the information related to the Evaluation and Review activities to determine that the device is compliant with all applicable requirements and may be authorized.<sup>12</sup>

The Evaluation of the product activity, including a review of the test report and evaluation of supporting documentation to determine compliance with the FCC requirements, must be performed by person(s) different from those who perform the Review activity and the Certification Decision activity. A TCB may outsource evaluation activities only to bodies that meet the TCB scheme requirements, including accreditation to ISO/IEC 17065 and ISO/IEC 17025 (*e.g.*, other recognized TCBs).

- In cases where the TCB receives an application with testing performed by a laboratory not associated with the TCB, the Evaluation activity is still required to be performed by certification body personnel (*i.e.*, a review of the test report and evaluation of supporting documentation to determine compliance with the FCC requirements).
- In cases where the laboratory associated with the TCB performs the testing, the same person who performed the testing may perform the Evaluation activity, provided that they are identified as

<sup>8</sup> ISO/IEC 17065:2012, 7.2 and 7.3.

<sup>9</sup> ISO/IEC 17065:2012, 3.3.

<sup>10</sup> ISO/IEC 17065:2012, 7.4.

<sup>11</sup> ISO/IEC 17065:2012, 7.5.

<sup>12</sup> ISO/IEC 17065:2012, 7.6.

certification-body key personnel in the FCC electronic filing system and have not provided any consultancy as part of the testing process.

**Table 2 – TCB Certification Process Flow Chart**

Step	Description of Certification Activity	Resources
1	<p><b>Testing</b> – A capable testing laboratory meeting the FCC requirements (see KDB Publication 974614) tests the product to appropriate requirements.</p>	<p>Testing may be completed by a manufacturer’s testing laboratory, an independent testing laboratory, or by the TCB’s internal testing laboratory.</p>
2	<p><b>Application</b> – Grantee or authorized agent of grantee requests authorization of product, and TCB obtains all necessary information to issue grant of certification in accordance with FCC requirements.</p>	<p>Grantee or their authorized representative may request Certification.  TCB collects information necessary to issue a grant of certification.</p>
3	<p><b>Application Review</b> – TCB reviews information obtained to ensure:</p> <ul style="list-style-type: none"> <li>- Sufficient grantee and product information was submitted to perform certification process.</li> <li>- TCB and grantee are in agreement on what is being requested.</li> <li>- The scope of certification is defined.</li> <li>- The TCB has the appropriate scope of accreditation to certify the product.</li> <li>- The TCB has the competence and capability to evaluate and make a certification decision on the product.</li> </ul>	<p>This activity must be performed by the TCB using internal resources.</p>
4	<p><b>Evaluation</b> – Is the selection of the applicable requirements and determining compliance with the requirements.</p> <ul style="list-style-type: none"> <li>- The TCB shall have an evaluation plan for the product.</li> <li>- The TCB shall assign personnel to perform each evaluation activity if internal resources are used for the evaluation task.</li> <li>- The TCB shall ensure that all required information and documentation has been provided to complete the evaluation.</li> <li>- The TCB shall evaluate the product against the requirements covered by the test procedure and the FCC requirements.</li> </ul>	<p>These tasks may be performed by the TCB using internal or external resources. The TCB is responsible for all tasks performed by external resources. The TCB may also accept test reports from testing laboratories that meet the FCC requirements (see KDB Publication 974614).</p>

	<ul style="list-style-type: none"> <li>- Evaluation may include testing to confirm previous test results- The TCB shall document all evaluation activities.</li> <li>- The TCB shall inform the grantee of all non-conformities.</li> </ul>	
5	<p><b>Review</b> – Is the assessing all of the information and results related to the Evaluation activity to determine compliance in conformance with the applicable FCC requirements.</p> <ul style="list-style-type: none"> <li>- The TCB shall review all information and results related to the evaluation.</li> <li>- The TCB shall document all review activities.</li> </ul>	This activity must be performed by the TCB using internal resources. The person(s) performing the review activities must be different from those who perform the evaluation activity.
6	<p><b>Certification Decision</b> – Is an assessment of the evaluation and review processes to determine that the product is compliant with all applicable requirements and may be authorized.</p> <ul style="list-style-type: none"> <li>- The TCB shall assess the evaluation and review processes, then make a determination whether or not the product may be certified.</li> <li>- The TCB shall document Certification decision activities.</li> </ul>	This activity must be performed by the TCB using internal resources. The person making the certification decision must be different from those who performed the evaluation activity.
7	<p><b>Grant of Certification</b> – Is the uploading of all applicable information and exhibits to the FCC Electronic Authorization (EA) System, after the TCB has determined that a product meets all requirements and a grant of certification may be authorized.</p> <ul style="list-style-type: none"> <li>- The TCB shall upload all applicable information and exhibits to the EA System.</li> <li>- The TCB shall publish the grant of certification by accepting the grant on the FCC EA System.</li> </ul>	This activity must be performed by TCB using internal resources.

**F. Impartiality**

As required by 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.<sup>13</sup> As part of its assessment, a TCB shall show how it manages impartiality and ensures that the certification body does not allow commercial, financial or other pressures to compromise impartiality. Particular attention should be made

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<sup>13</sup> ISO/IEC 17065:2012, 4.2.

to ensure that certification personnel meet the requirements in ISO/IEC 17065:2012 regarding consultancy.

### **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 their 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 an accredited testing facility by the certification personnel. An employee who performs the Evaluation activity task 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 activity shall be considered during the ISO/IEC 17065:2012 assessment.

### **H. TCB Grants of Certification**

In accordance with the requirements in 47 CFR Part 2, a TCB shall not: grant waivers of Commission rules; take enforcement actions; authorize a transfer of grantee control; or interpret the FCC rules.<sup>14</sup> TCBs are allowed to certify all equipment subject to certification in the FCC rules; however, in circumstances where the FCC has not provided specific guidance, or where the applicant intends to use alternatives to published procedures or guidelines to demonstrate compliance, then such applications are subject to processing using the Pre-Approval Guidance procedures.<sup>15</sup> The Pre-Approval Guidance procedure is intended to allow FCC oversight for those types of devices that are not sufficiently “technically-mature” for unrestricted TCB approval. TCBs may approve devices on the Pre-Approval Guidance list, but must obtain FCC guidance prior to issuing the grant of certification.

As part of the general approval process, TCBs are expected to validate the contact information on file for a grantee prior to issuing a grant of certification, to correct the information on file with the FCC where needed, and to notify the grantee that a future audit sample may be requested.

### **I. Testing Capability**

A TCB is required to have the capability to perform a “core” set of tests, for each scope of accreditation. Requirements for “core” test capability are given in 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 DA 99-1640. To ensure that it is capable of performing the tests within its scope of accreditation, the TCB shall be accredited to ISO/IEC 17025:2005 with an appropriate scope of

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<sup>14</sup> See §§ 2.962(c)(4) and 2.962(f)(10).

<sup>15</sup> The Pre-Approval Guidance procedures were formerly known as the Permit-But-Ask (PBA) procedures, and were adopted in Report and Order FCC 14-208. See 47 CFR § 2.964. The Pre-Approval Guidance procedures are described in [KDB Publication 388624](#). The Commission may, in very special circumstances, revise the TCB Exclusion List. See also [KDB Publication 628591](#).

accreditation (see Table 3), and the TCB shall have available the test equipment necessary to perform the “core” tests during the ISO/IEC 17065:2012 on-site assessment.<sup>16</sup>

**Table 3 – ISO/IEC 17025 Accredited Laboratory Scope of Accreditation**

<b>Scope A – Unlicensed Radio Frequency Devices</b>	
<b>A1</b>	<p><b>Part 15, Unintentional Radiators</b></p> <ul style="list-style-type: none"> <li>ANSI C63.4-2014, <i>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</i></li> </ul> <p><b>Part 15, Intentional Radiators below 26.5 GHz except Part 15D</b></p> <ul style="list-style-type: none"> <li>ANSI C63.10-2013, <i>American National Standard for Testing Unlicensed Wireless Devices</i></li> </ul> <p><b>Part 18, Industrial, Scientific, and Medical Equipment</b></p> <ul style="list-style-type: none"> <li><a href="#">FCC MP-5, (February 1986) FCC Methods of Measurements of Radio Noise Emissions From Industrial, Scientific, and Medical Equipment</a></li> </ul>
<b>A2</b>	<p><b>Part 15, Intentional Radiators below 26.5 GHz except Part 15D</b></p> <ul style="list-style-type: none"> <li>ANSI C63.10-2013, <i>American National Standard for Testing Unlicensed Wireless Devices</i></li> <li><a href="#">KDB Publication 789033</a></li> </ul> <p><b>Part 15, Intentional Radiators above 26.5 GHz except Part 15D</b></p> <p>ANSI C63.10-2013, <i>American National Standard for Testing Unlicensed Wireless Devices</i></p>
<b>A3</b>	<p><b>Part 15, Subpart D</b></p> <ul style="list-style-type: none"> <li>ANSI C63.17-2013, <i>American National Standard for Methods of Measurement of the Electromagnetic and Operational Compatibility of Unlicensed Personal Communications Services (UPCS) Devices</i></li> </ul> <p><b>RF Exposure</b></p> <ul style="list-style-type: none"> <li>IEEE Std 1528™-2013, <i>IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques</i></li> <li><a href="#">KDB Publication 865664</a></li> <li><a href="#">KDB Publication 447498</a></li> </ul>
<b>A4</b>	<p><b>Part 15, Intentional Radiators below 26.5 GHz except Part 15D</b></p> <ul style="list-style-type: none"> <li>ANSI C63.10-2013, <i>American National Standard for Testing Unlicensed Wireless Devices</i></li> <li><a href="#">KDB Publication 789033</a></li> </ul> <p><b>Part 15, Intentional Radiators above 26.5 GHz except Part 15D</b></p> <ul style="list-style-type: none"> <li>ANSI C63.10-2013, <i>American National Standard for Testing Unlicensed Wireless Devices</i></li> </ul> <p><b>Part 15 Subpart E</b></p> <ul style="list-style-type: none"> <li><a href="#">KDB Publication 905462</a></li> </ul> <p><b>RF Exposure</b></p> <ul style="list-style-type: none"> <li>IEEE Std 1528™-2013, <i>IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques</i></li> <li><a href="#">KDB Publication 865664</a></li> <li><a href="#">KDB Publication 447498</a></li> </ul>

<sup>16</sup> ISO/IEC 17025 17025:2005, *General requirements for the competence of testing and calibration laboratories*.

<b>Scope B – Licensed Radio Service Equipment</b>	
<b>B1</b>	<p><b>Licensed Radio Service Equipment – Commercial Mobile Services</b></p> <ul style="list-style-type: none"> <li>• ANSI/TIA-603-D (2010), <i>Land Mobile FM or PM Communications Equipment Measurement and Performance Standards</i></li> <li>• <a href="#">KDB Publication 971168</a></li> </ul> <p><b>Part 20 Hearing Aid Compatibility (HAC)</b></p> <ul style="list-style-type: none"> <li>• ANSI C63.19-2007, <i>American National Standard for Methods of Measurement of Compatibility Between Wireless Communication Devices and Hearing Aids</i></li> <li>• ANSI C63.19 (2011) <i>American National Standard Methods of Measurement of Compatibility between Wireless Communications Devices and Hearing Aids</i></li> <li>• <a href="#">KDB Publication 285076</a></li> </ul> <p><b>RF Exposure</b></p> <ul style="list-style-type: none"> <li>• IEEE Std 1528™-2013, <i>IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques</i></li> <li>• <a href="#">KDB Publication 865664</a></li> <li>• <a href="#">KDB Publication 447498</a></li> </ul>
<b>B2</b>	<p><b>Licensed Radio Service Equipment – General Mobile Radio Services</b></p> <ul style="list-style-type: none"> <li>• ANSI/TIA-603-D (2010), <i>Land Mobile FM or PM Communications Equipment Measurement and Performance Standards</i></li> <li>• <a href="#">KDB Publication 971168</a></li> </ul> <p><b>Licensed Radio Service Equipment- Part 96 Citizens Broadband Radio Service</b></p> <ul style="list-style-type: none"> <li>• ANSI/TIA-603-D (2010), <i>Land Mobile FM or PM Communications Equipment Measurement and Performance Standards</i></li> <li>• <a href="#">KDB Publication 971168</a></li> </ul> <p><b>RF Exposure</b></p> <ul style="list-style-type: none"> <li>• IEEE Std 1528™-2013, <i>IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques</i></li> <li>• <a href="#">KDB Publication 865664</a></li> <li>• <a href="#">KDB Publication 447498</a></li> </ul>
<b>B3</b>	<p><b>Licensed Radio Service Equipment – Maritime and Aviation Radio Services</b></p> <ul style="list-style-type: none"> <li>• ANSI/TIA-603-D (2010), <i>Land Mobile FM or PM Communications Equipment Measurement and Performance Standards</i></li> </ul>
<b>B4</b>	<p><b>Licensed Radio Service Equipment – Microwave Radio Services</b></p> <ul style="list-style-type: none"> <li>• ANSI/TIA-603-D (2010), <i>Land Mobile FM or PM Communications Equipment Measurement and Performance Standards</i></li> </ul>
<b>Scope C – Telephone Terminal Equipment</b>	
<b>C1</b>	<p><b>Telephone Terminal Equipment</b></p> <ul style="list-style-type: none"> <li>• TIA-968-B (September 22, 2009), <i>Telecommunications - Telephone Terminal Equipment - Technical Requirements for Connection of Terminal Equipment to the Telephone Network</i></li> </ul>

## **J. Scope of Accreditation for TCB Laboratory**

TCBs are required to have a testing laboratory accredited to ISO/IEC 17025 and recognized by the FCC as accredited. The testing laboratory portion of the TCB shall be accredited to ISO/IEC 17025:2005, with a scope of accreditation covering the regulations and meeting the requirements of [KDB Publication 974614](#). 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 found in related KDB Publications.

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 use external resources for the HAC and/or RF exposure testing, using 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 [KDB Publication 974614](#), and that has been recognized by the FCC as accredited for the applicable scope.<sup>17</sup>

## **K. Key Personnel**

As required in 6.1.2.1 of ISO/IEC 17065:2012, 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 certification personnel.

As required in 6.1.2.2 of ISO/IEC 17065:2012, 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 for 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 conformity assessment tasks of Evaluation, Review, and Certification Decision activities 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

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<sup>17</sup> In accordance with Report and Order FCC 14-208 that became effective July 13, 2015, after July 12, 2016, accredited testing laboratories assessed to the appropriate scope, and recognized by the FCC for the scope, are required for testing all equipment subject to the equipment authorization Certification procedure.

subsequent surveillance and renewal assessments, the accreditation body may perform remote assessments of these persons 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 employee performing conformity assessment activities and their information being entered in the FCC electronic filing system by the designating authority.

**Table 4 – FCC Key Employee Types**

Administrative Contact
Decision Maker
EMC Reviewer
General RF Exposure Reviewer
SAR Qualified reviewer

#### **L. Resources for Evaluation, Review, and Certification Decision**

A TCB may utilize resources subject to the following.

1. A TCB may use either internal or external (outsourcing) resources for the Evaluation task.<sup>18</sup> When a TCB outsources testing, as allowed (*e.g.*, for post-market surveillance and RF exposure testing) by the FCC procedures, 6.2 of ISO/IEC 17065:2012 shall be met. The TCB shall ensure that all Evaluation activities are managed in a manner that provides confidence in the results, and that the TCB has records to justify that confidence. All TCB personnel, including external personnel under contract, are required to comply with the procedures defined by the certification body.<sup>19</sup>
2. A TCB may also accept test reports from other competent sources. When a TCB accepts test data from another source the TCB needs to have confidence in the results, justification documentation for the acceptance of the test data, follow the requirements of sub-clause O of this publication, ensure that the scope of the testing entity is applicable to the testing that is being performed, and verifying the qualifications (including proper FCC recognition per § 2.948 of the FCC rules) of the testing body. If a TCB accepts test reports from other sources, the TCB shall ensure that the other source meets all requirements of [KDB Publication 974614](#). If a TCB accepts test reports from other sources, the Evaluation and Review process conducted by the certification body must verify that the testing was completed properly.
3. Adequate oversight and quality control procedures shall be in place to ensure that all applications for certification are evaluated consistently.
4. 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

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<sup>18</sup> ISO/IEC 17065:2012, 6.2.

<sup>19</sup> ISO/IEC 17065:2012, 6.1.3.

shall maintain impartiality as required by ISO/IEC 17065:2012.<sup>20</sup>

5. The contract(s) under which the external resource or outsourced activities are performed are reviewed during the accreditation assessment, to ensure that all TCB and ISO/IEC 17065:2012 requirements are met.
6. The “Review” and “Certification Decision” tasks shall be undertaken by internal resources, and shall not be outsourced.<sup>21</sup> Note that the use of external personnel under contract, and persons working as personnel under contract, are considered employees for the purpose of these functions, and are expected to be fully familiar with procedures and systems of the TCB, and are not considered as outsourced.<sup>22</sup> ISO/IEC 17065 notes in 7.6.2 that the Review and Certification Decision activities may be completed by the same person or group of persons.
7. A TCB must have at least two internal resources; one person that performs the Evaluation function and a separate person that performs the Review/Certification Decision function. In the case where a TCB outsources the Evaluation activity the Application review part of the Evaluation activity is still required to be performed by an internal resource.
8. The persons who perform the Review and Certification Decision, shall be identified as key employees in the FCC EA System and shall have the necessary technical competency and understanding of the FCC rules.
9. The certification body personnel shall have access to appropriate testing facilities, and be able to perform product testing, when necessary.
10. The TCB shall take responsibility for all activities outsourced to another body and/or performed by an external resource.<sup>23</sup>
11. The grant of certification is the responsibility of, and shall be issued by, the TCB recognized by the FCC.

#### **M. TCB Information Maintenance**

TCBs are expected to keep the FCC informed of current contact information, as shown in the FCC EA System (<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 NIST. For TCBs outside of the United States, recognized 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 EA System.

#### **N. TCB Personnel Training**

As required in 6.1.2.2 of ISO/IEC 17065:2012, 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 Application review, Evaluation, Review, and Certification Decision of products subject to

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<sup>20</sup> ISO/IEC 17065:2012, 4.2 and 6.2.2.1.

<sup>21</sup> See 47 CFR § 2.962(d)(2).

<sup>22</sup> ISO/IEC 17065:2012, 6.2.2.1, NOTE 2 and 7.6.3.

<sup>23</sup> ISO/IEC 17065:2012, 6.2.2.4.

certification have 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 and/or equipment authorization workshops.

## **O. TCB Acceptance of Test Data**

After July 12, 2016, all equipment subject to certification is required to be tested at measurement facilities that have been recognized by the FCC as accredited to ISO/IEC 17025 and the FCC requirements.<sup>24</sup> The accreditation and recognition of a test site applies to a specific test facility. All testing, including testing by external resources and subcontracted testing, must be performed at an accredited test facility that is recognized by the FCC. It is not permitted for a TCB to accept test reports for which an FCC recognized accredited testing laboratory did not perform the testing, but instead only reviewed testing completed at a non-recognized site, without full re-test. 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 EA System. If a product was tested at more than one site, the test report should specify what tests were performed at which locations.<sup>25</sup>

When accepting test data in support of an application for certification, the TCB shall review the test report as part of the Evaluation task and verify the testing laboratory was recognized for the scope of the device. The TCB 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 17065:2012 assessment. All testing for certification must be completed at an accredited testing laboratory that is recognized by the FCC as accredited.<sup>26</sup>

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<sup>24</sup> See 47 CFR § 2.948(a). According to 47 CFR § 2.950(e), prior to July 13, 2016 equipment subject to certification may be tested at measurement facilities that have either been listed with the FCC, or at an FCC recognized accredited testing laboratory.

<sup>25</sup> A TCB should accept test data from any qualified test facility, *i.e.*, an FCC recognized accredited testing laboratory. 47 CFR § 2.962(f)(2) states that “a TCB shall accept test data from any source, subject to the requirements in ISO/IEC 17065:2012, and shall not unnecessarily repeat tests.” This rule is conditioned on the qualification of the test laboratory, which means the testing is performed by an FCC recognized accredited testing laboratory. ISO/IEC 17065:2012 in 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 17025:2005.

<sup>26</sup> After July 12, 2016 all testing for certified devices must be completed at an accredited testing laboratory that is recognized by the FCC as accredited. Prior to July 13, 2016, testing may be completed at an accredited and FCC recognized testing laboratory, or the current procedures may be applied. Under the existing procedures for certification to Parts 15 and 18, the TCB at a minimum needs to require that the product be tested at a measurement facility that has either been § 2.948 listed with the FCC, or at a measurement facility that has been accredited and FCC-recognized. Under the current procedures for certification to the licensed device rule sections of 47 CFR, the TCB shall have confidence in the test data, as established under the TCB procedure for acceptance of test data. See 47 CFR § 2.950(e).

## **P. 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 §§ 15.31, 15.32, 15.33, and 15.35. The FCC Knowledge Database provides additional guidance on testing devices subject to the FCC rules.

## **Q. Dismissal of Application**

A TCB may request a dismissal of an application that they have been requested to approve, prior to issuing the certification or certifications which they approved, within 30 days of the approval, for non-compliance with FCC requirements.

## **R. Records Retention**

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

## **S. TCB Post-Market Surveillance Requirements**

47 CFR § 2.962(g) requires a TCB to perform 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. The FCC has provided guidance in [KDB Publication 610077](#) for performing post-market surveillance.

## **T. List of TCBs**

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

## **III. REFERENCES**

1. FCC 98-338, GEN Docket No. 98-68, *Amendment of Parts 2, 25 and 68 of the Commission's Rules to Further Streamline The Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, and Implement Mutual Recognition Agreements.* [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-98-338A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-98-338A1.pdf)
2. DA 00-1223, *Office of Engineering and Technology and Common Carrier Bureau Announce The Designation Of Telecommunication Certification Bodies (TCBs) to Approve Radiofrequency and Telephone Terminal Equipment.* [https://apps.fcc.gov/edocs\\_public/attachmatch/DA-00-1223A1.pdf](https://apps.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.* [https://apps.fcc.gov/edocs\\_public/attachmatch/DA-01-180A1.pdf](https://apps.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](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.*  
[https://apps.fcc.gov/edocs\\_public/attachmatch/DA-00-2224A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DA-00-2224A1.pdf)
6. [FCC MP-5, \(February 1986\) FCC Methods of Measurements of Radio Noise Emissions From Industrial, Scientific, and Medical Equipment.](#)
7. [KDB Publication 285076, HAC Guidance](#)
8. [KDB Publication 388624, Pre-Approval Guidance](#)
9. [KDB Publication 447498, RF Exposure Guidance](#)
10. [KDB Publication 610077, Post Market Surveillance Guidance](#)
11. [KDB Publication 628591, TCB Exclusion List](#)
12. [KDB Publication 789033, U-NII Guidance](#)
13. [KDB Publication 865664, SAR Measurement and Reporting Guidance](#)
14. [KDB Publication 905462, Dynamic Frequency Selection \(DFS\) Guidance](#)
15. [KDB Publication 971168, Measurement Guidance for Licensed Radio Service Equipment](#)
16. [KDB Publication 974614, Accredited Testing Laboratory Roles and Responsibility](#)

## CHANGE NOTICE

**07/31/2015:** [641163 DO1 TCB Program Roles and Resp v03](#) replaces [641163 D01 TCB Program Roles and Resp v02](#). Changes to the document including the following items:

- Updated to incorporate the changes from FCC 14-208
- Clarified requirements for evaluation, review and decision on certification
- Updated reference for ANSI C63.17 from 2006 to 2013
- Combined core testing requirements paragraphs

**12/16/2015:** [641163 DO1 TCB Program Roles and Resp v03r01](#) replaces [641163 D01 TCB Program Roles and Resp v03](#). Changes to the document including the following items:

- Clarified requirements for evaluation, review and certification decision processes based on feedback and comments received. Added table 2.
- Combined replicated text
- Assorted minor updates
- Added TCB scope reference to test firm scope table
- Added Key Personnel table