FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 17, 2014

The Honorable Richard Blumenthal
United States Senate
724 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter asking for an update on the Commission's efforts to protect consumer choice in the secondary market for used mobile devices, specifically as it relates to the process for third-party resellers to unlock phones. I agree with you that consumers benefit from mobile device resale opportunities, and I am committed to supporting business that want to engage in the legitimate resale of second-hand devices. Apparently, some providers seem to link the bulk resale of devices with theft and fraud and this may affect the ability of third-party resellers to unlock phones.

As I indicated to CTIA in my letter in November 2013, I expect the wireless industry to resolve device unlocking issues without the need for regulation. Consistent with my focus on voluntary industry activity to promote competition and consumer choice, I have included device resellers in the discussion on deterring theft and fraudulent resale of mobile devices that will take place at the Commission this week. If, however, the industry cannot resolve these issues on its own, I am open to exploring a rulemaking in this area, as the National Telecommunications & Information Association encouraged us to do.

I appreciate your concern on this important issue and look forward to working with you, Congress, and all stakeholders to protect consumers' interests and choices in the secondary market.

Sincerely,

Tom Wheeler