

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

June 28, 2016

Dr. Rebecca Fatima Sta Maria
Secretary General
Ministry of International Trade and Industry Malaysia
Level 28, MITI Tower
Jalan Sultan Hj Ahmad Shah
50480, Kuala Lumpur
Malaysia

Dear Dr. Rebecca Fatima Sta Maria:

I am pleased to inform you that my government is prepared to initiate Phase I of the Asia-Pacific Economic Cooperation Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (MRA) with the Government of Malaysia.

Specifically, the United States is prepared to participate in Phase I Procedures under the MRA with respect to equipment that is subject to mandatory conformity assessment procedures enforced by the U.S. telecommunications regulatory authority. Accordingly, for such equipment, the United States shall apply the Phase I Procedures in Appendix B of the MRA for purposes of recognizing testing laboratories that Malaysia designates as Conformity Assessment Bodies (CABs) and for accepting test reports from those CABs. In addition, the United States shall apply the procedures in Appendix A of the MRA in designating testing laboratories that it considers competent to test equipment that is subject to mandatory conformity assessment procedures enforced by the Malaysia's telecommunications regulatory authority.

The United States understands that, in return, Malaysia shall evaluate and make determinations on recognizing in accordance with Appendix B of the MRA testing laboratories, including suppliers' testing laboratories, in accordance with Appendices A and B of the MRA.

I have attached to this letter a list of Technical Regulations that contain the mandatory conformity assessment procedures enforced by the U.S. telecommunications regulatory authority. This list shall constitute the U.S. Annex I to Phase I Procedures of the MRA for purposes of this agreement. The United States shall update this list as necessary to keep it current and notify Malaysia in accordance with the MRA if it modifies the list.

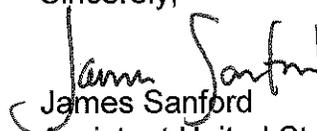
Your letter dated June 28, 2016 and this reply, shall constitute an agreement between our two governments to apply the MRA between our two economies with respect to Phase I Procedures. The MRA shall be considered an integral part of this letter.

Rebecca Fatima Sta Maria
Page 2

I am pleased to inform you that the Federal Communications Commission (FCC) is the telecommunications regulatory authority responsible for recognizing CABs under the MRA. Mr. George Tannahill (George.Tannahill@fcc.gov) is the FCC contact person for the purposes of the MRA. The National Institute of Standards and Technology (NIST) is the designating authority responsible for designating CABs under the MRA. Ms. Ramona Saar (Ramona.Saar@nist.gov) is the NIST contact person for the purposes of the MRA.

From the date of this exchange of letters and the completion of the exchange of the relevant administrative and technical information, the Parties may designate testing laboratories in accordance with the general provisions, Appendix A and Appendix B of the APEC TEL MRA.

Sincerely,



James Sanford
Assistant United States Trade Representative
for Small Business, Market Access, and
Industrial Competitiveness

cc: Andrey Mukhanov, Chair, Asia-Pacific Economic Cooperation Telecommunications and Information Working Group

Attachments: Annex I to Phase I Procedures: List of Technical Regulations for the United States

**ANNEX I
TO PHASE I PROCEDURES**

**LIST OF TECHNICAL REGULATIONS FOR
THE UNITED STATES OF AMERICA**

The Technical Regulations for which the United States of America shall accept test reports from recognized Conformity Assessment Bodies designated by Malaysia are:

1. Communications Act of 1934, as amended by the Telecommunications Act of 1996 (Title 47 of the United States Code);
2. U.S. FCC Rules and Regulations for Telephone Terminal Equipment that are contained in the following:

- a. Code of Federal Regulations (CFR):

Administrative Provisions	47 CFR Part 2
Telephone Terminal Equipment	47 CFR Part 68

and;

- b. documents published by the Administrative Council for Terminal Attachment (ACTA), established in the FCC CC Docket 99-216:

Guidelines and Procedures for submittal of information for inclusion in the ACTA database of approved Telephone Terminal Equipment ("TTE");
TIA/EIA/IS-968, Telecommunications -- Telephone Terminal Equipment -- Technical Requirements for Connection of Terminal Equipment to the Telephone Network
TIA/EIA/IS-883, Telecommunications -- Telephone Terminal Equipment -- Supplemental Technical Requirements for Connection of Stutter Dial Tone Detection Devices and ADSL Modems to the Telephone Network
TIA-168-C, Telecommunications -- Telephone Terminal Equipment -- Labeling Requirements;

3. U.S. FCC Rules and Regulations for Transmitter Equipment that are contained in the following:

Administrative Provisions	47 CFR Part 2
Radio Frequency Devices	47 CFR Part 15
Commercial Mobile Services	47 CFR Part 20
Public Mobile Services	47 CFR Part 22
Personal Communication Service	47 CFR Part 24
Satellite Communications	47 CFR Part 25
Miscellaneous Wireless Communications Services	47 CFR Part 27
Broadcast	47 CFR Part 73
Auxiliary Broadcast	47 CFR Part 74
Cable Television Radio	47 CFR Part 78
Maritime Services	47 CFR Part 80
Aviation Services	47 CFR Part 87
Private Land Mobile	47 CFR Part 90
Personal Radio Services	47 CFR Part 95
Citizens Broadband Radio Service	47 CFR Part 96
Amateur Radio	47 CFR Part 97
Fixed Microwave Services	47 CFR Part 101

4. U.S. FCC Rules and Regulations for Electromagnetic Compatibility (EMC) that are contained in the following:

Administrative Provisions	47 CFR Part 2
Electromagnetic Requirements	47 CFR Parts 15 and 18

and;

5. Accredited Testing Laboratory Program Roles and Responsibilities – KDB Publication 974614.

PUBLIC AVAILABILITY OF TECHNICAL REGULATIONS

The texts of Technical Regulations cited above may be obtained through links at the following Internet addresses, or by purchase from the U.S. Government Printing Office (see www.gpo.gov for ordering information):

Technical Regulation	Available at following website
Communications Act of 1934, as amended by the Telecommunications Act of 1996 (Title 47 of the United States Code).	http://www.fcc.gov/telecom.html
The U.S. FCC Rules and Regulations for Telephone Terminal Equipment listed in paragraph 2 above.	https://www.fcc.gov/encyclopedia/rules-regulations-title-47 http://www.part68.org/
The U.S. FCC Rules and Regulations for Transmitter Equipment listed in paragraph 3 above.	https://www.fcc.gov/encyclopedia/rules-regulations-title-47
The U.S. FCC Rules and Regulations for Electromagnetic Compatibility Requirements listed in paragraph 4 above.	https://www.fcc.gov/encyclopedia/rules-regulations-title-47
KDB Publication 974614	https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=44684



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28 June 2016

Mr. James Sanford
Assistant United States Trade Representative
for Small Businesses, Market Access and Industrial Competitiveness
Office of the United States Trade Representative
Washington, D.C. 20508
United States

Dear Mr Sanford,

I am pleased to inform you that the Government of Malaysia is prepared to initiate Phase I Procedures of the Asia-Pacific Economic Cooperation Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (MRA) with the Government of the United States of America.

Specifically, the Government of Malaysia is prepared to participate in Phase I Procedures under the MRA with respect to equipment that is subject to mandatory conformity assessment procedures enforced by Malaysia's telecommunications regulatory authority. For such equipment, the Government of Malaysia shall apply the Phase I Procedures in Appendix B of the MRA for the purposes of recognizing testing laboratories that are designated by the Government of United States as Conformity Assessment Bodies (CABs) and for accepting test reports from those CABs. In addition, the Government of Malaysia shall apply the procedures in Appendix A of the MRA in designating testing laboratories that it considers competent to test equipment that is subject to mandatory conformity assessment procedures enforced by the Government of United States telecommunications regulatory authority.

The Government of Malaysia understands that, in return, the Government of United States shall evaluate and make determinations on recognizing such testing laboratories, including suppliers' testing laboratories, in accordance with Appendices A and B of the MRA.

I have attached to this letter a list of Technical Regulations that contain the mandatory conformity assessment procedures enforced by Malaysia's telecommunications regulatory authority. This list shall constitute Malaysia's Annex I to Phase I Procedures

of the MRA for purposes of this agreement. The Government of Malaysia shall update this list as necessary to keep it current and notify the Government of United States in accordance with the MRA if there are modifications to the list.

This letter and your letter of confirmation in reply, shall constitute an agreement between our two governments to apply the MRA between our two economies with respect to Phase I Procedures. The MRA shall be considered an integral part of this letter.

I am also pleased to inform you that the Malaysian Communications and Multimedia Commission (MCMC) is both the telecommunications regulatory authority responsible for recognizing CABs and the designating authority responsible for designating CABs under the MRA. The email contact for purposes of the MRA is mracomm@cmc.gov.my.

From the date of this exchange of letters and the completion of the exchange of the relevant administrative and technical information, the Parties may designate testing laboratories in accordance with the general provisions, Appendix A and Appendix B of the APEC TEL MRA.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read 'Rebecca Fatima Sta. Maria', with a horizontal line underneath.

(DR. REBECCA FATIMA STA. MARIA)

cc: APEC TELWG Chair
Andrey Mukhanov

Attachment: Annex I to Phase I Procedures: Technical Regulations for Malaysia

**ANNEX I
TO PHASE I PROCEDURES
LIST OF TECHNICAL REGULATIONS FOR
MALAYSIA**

The Technical Regulations for which Malaysia will accept test report from recognized Conformity Assessment Bodies designated by the United States are:

1. Communications and Multimedia Act 1998 (Act 588)
2. Communications and Multimedia (Technical Standard) Regulations 2000
3. Technical Specifications registered under Act 588 as follows:

Table 1: List of Technical Specifications

No.	Document	Reference
1.	<u>Specification for Asymmetric Digital Subscriber Line (ADSL) Transceivers</u>	MCMC MTSFB TC T0010:2014
2.	<u>Specification For Integrated Services Digital Network (ISDN) using Basic Access</u>	MCMC MTSFB TC T008:2014
3.	<u>Specification For Integrated Services Digital Network (ISDN) using Primary Rate Access</u>	MCMC MTSFB TC T009:2014
4.	<u>Technical Specification for Low-Frequency Cables and Wires with PVC Insulation and PVC Sheath</u>	SKMM FTS LFCW Rev. 1.01:2007
5.	<u>Technical Specification for Overvoltage Protective Devices</u>	SKMM FTS OPD Rev. 1.01:2007
6.	<u>Technical Specification for Amateur Radio Equipment</u>	SKMM WTS ARE Rev.1.01:2007
7.	<u>Technical Specification for Broadband Wireless Access (BWA) Equipment</u>	SKMM WTS BWA Rev.1.01:2007
8.	<u>Technical Specification for Cordless Telephone Systems</u>	SKMM WTS CTS Rev.1.01:2007
9.	<u>Technical Specification for GSM Mobile Terminals</u>	SKMM WTS GSM-MT Rev.1.01:2007
10.	<u>Technical Specification for IMT-2000 Third-Generation (3G) Cellular Mobile Terminals</u>	SKMM WTS IMT-MT Rev.1.01:2007
11.	<u>Technical Specification for Land Mobile Radio Equipment</u>	SKMM WTS LMR Rev.1.01:2007
12.	<u>Specification for Short Range Devices (SRD)</u>	MCMC MTSFB TC 007:2014
13.	<u>Specification for Terminal Equipment Connecting to the Public Switched Telephone Network (PSTN)</u>	SKMM MTSFB TC T001:2013
14.	<u>Specification for ACLIP Facility Connection to PSTN</u>	SKMM MTSFB TC

No.	Document	Reference
		T002:2013
15.	<u>Specification for PABX System for Connection to PSTN</u>	SKMM MTSFB TC T003:2013
16.	<u>Specification for Digital Terrestrial Television Broadcast Receiver</u>	SKMM MTSFB TC T004:2013
17.	<u>Specification for Direct-To-Home Satellite Broadcast Receiving Antenna</u>	SKMM MTSFB TC T005:2013
18.	<u>Specification for Direct-To-Home Satellite Broadcast Receiver</u>	SKMM MTSFB TC T006:2013
19.	<u>Specifications On Common Test Suite For Digital Terrestrial Television Broadcast Service Receiver</u>	MCMC MTFB TC:T011:2014
20.	<u>Compression Table of Service Information (SI) Descriptions for Digital Terrestrial Television Broadcast Service</u>	SKMM MTSFB TC G001:2013
21.	<u>Middleware Profile for Digital Terrestrial Television Broadcast Service</u>	SKMM MTSFB TC G002:2013
22	<u>Broadband Over Powerline (BPL) Physical Network Layer</u>	MS 1902:2006

Note: The texts of the Technical Specifications cited above may be obtained at www.skmm.gov.my except for MS 1902:2006 which is available at www.msonline.gov.my/