

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
R&N Manufacturing, Ltd.)	File No.: EB-FIELDSCR-13-00007653
Houston, Texas)	NAL/Acct. No.: 201432540002
)	FRN: 0023432966

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE
ILLEGAL OPERATION OF SIGNAL JAMMING DEVICE**

Adopted: March 25, 2014

Released: March 26, 2014

By the Commission:

I. INTRODUCTION

1. In this Notice of Apparent Liability for Forfeiture (NAL), we find that R&N Manufacturing, Ltd. (RNM)¹ apparently willfully and repeatedly violated Sections 301, 302(b), and 333 of the Communications Act of 1934, as amended (Act),² and Sections 2.805(a) and 15.1(c) of the Commission's rules (Rules)³ by operating a cellular phone jammer (jammer or signal jammer) in its manufacturing facility in Houston, Texas. This illegal operation caused actual interference to cellular and Personal Communications Service (PCS) communications in the surrounding area, creating potential public safety risks. We conclude that RNM is apparently liable for a forfeiture in the amount of twenty-nine thousand two hundred and fifty dollars (\$29,250).

2. Signal jamming devices operate by transmitting powerful radio signals that overpower, jam, or interfere with authorized communications. While these devices have been marketed with increasing frequency over the Internet, with limited exceptions inapplicable in this case, they have no lawful use in the United States.⁴ Jammers are not only designed to impede authorized communications and thereby interfere with the rights of legitimate spectrum users and the general public, they also are inherently unsafe. For example, jammers can disrupt critical public safety communications, placing first responders like law enforcement and firefighting personnel—as well as the public they are charged with protecting—at great risk. Similarly, jammers can endanger life and property by preventing individuals from making 9-1-1 or other emergency calls or disrupting communications essential to aviation and marine safety.

¹ RNM states that it specializes in made-to-order fabricated steel production equipment for oil, gas, and petrochemical industries, both onshore and offshore. See R&N Manufacturing, Ltd., *Welcome to R&N Manufacturing Ltd.*, available at <http://www.rnmanufacturing.com/> (last visited Mar. 25, 2014).

² 47 U.S.C. §§ 301, 302a(b), 333.

³ 47 C.F.R. §§ 2.805(a), 15.1(c).

⁴ In this regard, we note that there are several narrow exceptions that apply outside the context of jammer use by (or sales to) individuals or businesses in the U.S. For example, in very limited circumstances and consistent with applicable procurement requirements, jamming devices may be marketed to the federal government for authorized, official use. See 47 U.S.C. § 302a(c); 47 C.F.R. § 2.807(d).

3. In order to protect the public and preserve unfettered access to and use of emergency and other communications services, the Act generally prohibits the importation, use, marketing, manufacture, and sale of jammers.⁵ The Commission has issued several enforcement advisories and consumer alerts emphasizing the importance of strict compliance in this area and encouraging public participation through the Commission's jammer tip line (1-855-55-NOJAM).⁶ We expect individuals and businesses, like RNM, to take immediate steps to ensure compliance and to avoid any recurrence of this type of misconduct, including ceasing operation of any signal jamming devices that may be in its possession, custody, or control. We also strongly encourage all users of these devices to voluntarily relinquish them to Commission agents either in connection with a Commission investigation or by calling the jammer tip line.

II. BACKGROUND

4. On March 29, 2013, the Enforcement Bureau's Houston Office (Houston Office) received a complaint from AT&T alleging that a signal originating from RNM's facility in Houston, Texas, was interfering with its licensed cellular communications.⁷ Agents from the Houston Office immediately investigated this matter. On March 29, 2013, and April 1, 2013, the agents determined, using direction finding techniques, that strong wideband emissions in the cellular and PCS bands (824-924 MHz and 1880-1990 MHz) were emanating from RNM's manufacturing facility.

5. On April 1, 2013, the agents visited RNM's office building in order to determine the specific source of the interference and to notify a responsible corporate officer about the matter. The agents were referred to RNM's Chief Financial Officer (CFO). Within a few minutes, and while the agents were waiting for the CFO to arrive, the strong wideband emissions emanating from RNM's manufacturing building abruptly ceased. RNM's CFO later admitted to the agents that RNM was using a cellular jammer (allegedly installed near the ceiling) to block cell phone communications, thereby preventing employees from placing wireless calls at work. RNM's CFO confirmed that all jammer use would be discontinued. The agent provided an on scene Notice of Unlicensed Operation to RNM's CFO, which warned that operation of an unlicensed radio transmitter violates Section 301 of the Act and could subject the violator to enforcement action.⁸ The Houston Office subsequently issued a formal Letter of Inquiry to RNM in order to better assess the scope of the misconduct.⁹ In its response, RNM admitted that it had purchased an illegal (high-powered) jammer online on February 12, 2013, installed it "about

⁵ 47 U.S.C. § 302a(b).

⁶ See *Cell Jammers, GPS Jammers and Other Jamming Devices*, FCC Enforcement Advisory, 27 FCC Rcd 2309 (2012); *Cell Jammers, GPS Jammers and Other Jamming Devices*, FCC Enforcement Advisory, 26 FCC Rcd 1327 (2011). These advisories, along with frequently asked questions related to the jamming prohibition, are available at <http://www.fcc.gov/jammers>. On October 15, 2012, the Enforcement Bureau launched a dedicated jammer tip line (i.e., 1-855-55-NOJAM (or 1-855-556-6526)) to make it easier for the public to report the use or sale of illegal cell phone, GPS or other signal jammers.

⁷ See e-mail from Edgardo Centeno, AT&T, to Lee R. Browning, Resident Agent, Houston Office, South Central Region, Enforcement Bureau (Mar. 29, 2013, 9:06 A.M.) (on file in EB-FIELDSCR-13-00007653). AT&T stated that it visited RNM's facility on March 27 and 28, 2013, because it believed RNM was the source of interference to its licensed communications. According to AT&T engineers, they spoke to multiple RNM employees about the interference issue and informed the employees that they believed a signal was emanating from the facility and causing interference to AT&T's cellular service. AT&T claimed that the interference ceased for a few hours during its visits on March 27 and 28, 2013, and then promptly resumed.

⁸ See *R&N Manufacturing, Ltd.*, Notice of Unlicensed Radio Operation (Apr. 1, 2013) (on file in EB-FIELDSCR-13-00007653).

⁹ Letter from Lee R. Browning, Resident Agent, Houston Office, South Central Region, Enforcement Bureau, to R&N Manufacturing, Ltd. (Sept. 24, 2013) (on file in EB-FIELDSCR-13-00007653).

two days before AT&T showed up” at the company, and operated it through the “end of March [2013].”¹⁰ Contrary to the end date described by the company, however, our agents determined, through direction finding techniques, that the device was operating during the day on April 1, 2013, as well. Also, according to AT&T, the interference started on March 23, 2013.¹¹ RNM subsequently relinquished the jamming device voluntarily to FCC agents.

III. DISCUSSION

A. Applicable Law

6. Federal law prohibits the operation of jamming devices in the United States and its territories. Section 301 of the Act prohibits the use or operation of “any apparatus for the transmission of energy or communications or signals by radio” within the United States unless such use is licensed or authorized.¹² Section 333 of the Act states that “[n]o person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this Act or operated by the United States Government.”¹³ In addition, Section 302(b) of the Act provides that “[n]o person shall manufacture, import, sell, offer for sale, or ship devices or home electronic equipment and systems, or *use* devices, which fail to comply with regulations promulgated pursuant to this section.”¹⁴

7. The applicable implementing regulations for Section 302(b) of the Act are set forth in Sections 2.803, 2.805, 2.807, 15.1(c), 15.3(o), and 15.201 of the Rules.¹⁵ Section 2.805(a) of the Rules provides in relevant part that, except in a few narrow circumstances not pertinent here, “[a] radio frequency device may not be operated prior to equipment authorization.”¹⁶ In addition, pursuant to Sections 15.1(c) and 15.201(b) of the Rules,¹⁷ intentional radiators¹⁸ cannot be operated in the United States or its territories unless they have first been authorized in accordance with the Commission’s certification procedures.¹⁹

¹⁰ Letter from Sherry Noppe, Chief Financial Officer, R&N Manufacturing, Ltd., to Lee R. Browning, Resident Agent, Houston Office, South Central Region, Enforcement Bureau (Oct. 2, 2013) (on file in EB-FIELDSCR-13-00007653). RNM also indicated that it purchased the jammer online from thesignaljammer.com for \$449.00, and provided information about the model at issue. *Id.* We are separately taking enforcement action against thesignaljammer.com for unlawfully marketing jammers to U.S. consumers.

¹¹ See e-mail from Edgardo Centeno, AT&T, to Ben Bartolome, Assistant Bureau Chief, Enforcement Bureau (Mar. 11, 2014, 2:13 P.M.) (on file in EB-FIELDSCR-13-00007653) (“The [interference] issue started on 3/23/13 at around 2:00 pm or so (give or take 30 minutes). Based on the statistical performance, . . . the issue was resolved on the afternoon of 4/1/13.”).

¹² 47 U.S.C. § 301.

¹³ *Id.* § 333.

¹⁴ *Id.* § 302a(b) (emphasis added).

¹⁵ 47 C.F.R. §§ 2.803, 2.805, 2.807, 15.1(c), 15.3(o), 15.201.

¹⁶ *Id.* § 2.805(a); see also *id.* § 2.803(a) (also prohibiting the marketing of jammer devices through the “sale or lease, or offering for sale or lease, including advertising for sale or lease, or importation, shipment, or distribution for the purpose of selling or leasing or offering for sale or lease.”).

¹⁷ *Id.* §§ 15.1(c), 15.201(b).

¹⁸ An “intentional radiator” is a “device that intentionally generates and emits radio frequency energy by radiation or induction.” *Id.* § 15.3(o). Under this definition, signal jamming devices are intentional radiators.

¹⁹ See, e.g., 47 C.F.R. §§ 22.377, 24.51, 27.51, 90.203 (requiring certification of transmitters that operate in the public mobile service, personal communications service, miscellaneous wireless communications service, and private land mobile radio services).

8. Jamming devices cannot be certified or authorized because their primary purpose is to block or interfere with authorized radio communications and their use would compromise the integrity of the nation's communications infrastructure. Thus, jamming devices such as the one used by RNM cannot comply with the FCC's technical standards and, therefore, cannot be operated lawfully by consumers in the United States or its territories. In short, under Section 302(b) of the Act, radio frequency devices like signal jamming devices are per se illegal for use by consumers such as RNM.²⁰

B. Illegal Operation of Cellular Jamming Device

9. As discussed above, on March 29 and April 1, 2013, agents from the Houston Office observed a cellular jammer in use at RNM's manufacturing building. RNM admitted that it operated a jamming device in its facility. The evidence further reflects that RNM operated the device for about 10 days, starting on or around March 23, 2013, with the intended (and actual) effect of blocking and otherwise interfering with radio communications authorized by the FCC. Operation of the jamming device could have had disastrous consequences by precluding the use of cellular phones to reach life-saving 9-1-1 services provided by police, ambulance, and fire departments. It could also have disrupted critical communications of first responders who might have visited RNM's facility or nearby locations in a life and death situation.²¹ Based on the evidence before us, we find that RNM apparently willfully and repeatedly violated Sections 301, 302(b), and 333 of the Act, and Sections 2.805(a) and 15.1(c) of the Rules, by operating a cellular phone jammer.²²

C. Proposed Forfeiture

10. Section 503(b) of the Act provides that any person who willfully²³ or repeatedly²⁴ fails to comply substantially with the terms and conditions of any license, or willfully or repeatedly fails to comply with any of the provisions of the Act or of any rule, regulation, or order issued by the Commission thereunder, shall be liable for a forfeiture penalty.²⁵ Pursuant to the Commission's *Forfeiture Policy Statement* and Section 1.80 of the Rules, the applicable base forfeiture amounts for (1) operation without an instrument of authorization is \$10,000, (2) use of illegal equipment is \$5,000, and

²⁰ 47 U.S.C. § 302a(b).

²¹ Many cell jammers can block more than just cell phone calls; these devices can disrupt radio communications on any device that operates on frequencies within or adjacent to its range. In addition, some so-called "cell jamming" devices are designed to jam not only cellular signals, but also Global Positioning System (GPS) signals. We also note that the statutory and regulatory prohibitions against interference with authorized radio communications are not limited to cases in which the operator of an interfering device acts maliciously or with potentially dangerous effects. For instance, Section 333 of the Act prohibits interfering with radio communications if done willfully, without any malicious intent and without regard to potential threats to public safety. *See* 47 U.S.C. § 333 (prohibiting anyone from "willfully *or* maliciously" interfering with any authorized radio communication) (emphasis added).

²² *See* 47 U.S.C. §§ 301, 302a(b), 333; 47 C.F.R. §§ 2.805(a), 15.1(c).

²³ Section 312(f)(1) of the Act defines "willful" as "the conscious and deliberate commission or omission of [any] act, irrespective of any intent to violate" the law. 47 U.S.C. § 312(f)(1). The legislative history of Section 312 clarifies that this definition of willful applies to Sections 312 and 503 of the Act, H.R. Rep. No. 97-765 (1982) (Conf. Rep.), and the Commission has so interpreted the term in the Section 503(b) context. *See So. Cal. Broad. Co.*, Memorandum Opinion and Order, 6 FCC Rcd 4387, 4387-88, para. 5 (1991) (*Southern California*), *recons. denied*, Memorandum Opinion and Order, 7 FCC Rcd 3454 (1992).

²⁴ Section 312(f)(2) of the Act, which also applies to forfeitures assessed pursuant to Section 503(b) of the Act, defines "repeated" as "the commission or omission of [any] act more than once or, if such commission or omission is continuous, for more than one day." 47 U.S.C. § 312(f)(2); *see also Southern California*, 6 FCC Rcd at 4388, para. 5.

²⁵ 47 U.S.C. § 503(b).

(3) interference to authorized communications is \$7,000.²⁶ The Commission retains the discretion, however, to issue a higher or lower forfeiture than provided in the *Forfeiture Policy Statement* or to apply alternative or additional sanctions as permitted by the statute.²⁷ For violations of the signal jamming prohibition, the Act authorizes monetary forfeitures of up to \$16,000 for *each* violation or, in the case of a continuing violation, the Commission may impose monetary forfeitures of up to \$16,000 for *each day* of such continuing violation up to a maximum forfeiture of \$112,500 for any single act or failure to act.²⁸

11. In assessing the appropriate monetary penalty for the misconduct at issue, we must take into account the statutory factors set forth in Section 503(b)(2)(E) of the Act, which include the nature, circumstances, extent, and gravity of the violations, and with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other such matters as justice may require.²⁹ As explained above, RNM operated a radio frequency device that is inherently illegal and prohibited for consumer use in the United States. These illegal jammer operations posed a tangible public safety hazard by potentially blocking authorized communications (including essential 9-1-1 calls and law enforcement communications) and only ceased when federal agents affirmatively intervened. The preponderance of the evidence indicates that RNM operated the jammer for approximately 10 days, from March 23, 2013, through at least part of the day on April 1, 2013.³⁰ We find these actions to be egregious, warranting an adjustment of the applicable base forfeiture amounts in Section 1.80, consistent with the forfeiture approach that the Commission applied in *Taylor Oilfield*.³¹

²⁶ *Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087 (1997) (*Forfeiture Policy Statement*), recons. denied, 15 FCC Rcd 303 (1999); 47 C.F.R. § 1.80; see *infra* note 28.

²⁷ See 47 C.F.R. § 1.80(b)(8), Note (“The Commission and its staff retain the discretion to issue a higher or lower forfeiture than provided in the guidelines, to issue no forfeiture at all, or to apply alternative or additional sanctions as permitted by the statute.”).

²⁸ See 47 U.S.C. § 503; 47 C.F.R. § 1.80(b)(7). These amounts are subject to further adjustment for inflation and the forfeiture amount applicable to any violation will be determined based on the statutory amount designated at the time of the violation. See 47 C.F.R. § 1.80(b)(9). On September 13, 2013, the statutory maximum forfeiture penalties for violations of Commission rules were adjusted for inflation. See *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, 28 FCC Rcd 10785 (Enf. Bur. 2013); see also *Inflation Adjustment of Monetary Penalties*, 78 Fed. Reg. 49,370-01 (Aug. 14, 2013) (setting September 13, 2013, as the effective date for the increases). The statutory maximum forfeiture for violations occurring after that date by non-licensees like RNM increased from \$112,500 to \$122,500. *Id.* Given, however, that the violations here occurred prior to September 13, 2013, the applicable maximum penalties are based on the Commission's previous inflation adjustment that became effective on September 2, 2008. See *Inflation Adjustment of Maximum Forfeiture Penalties*, 73 Fed. Reg. 44,663, 44,664 (July 31, 2008).

²⁹ 47 U.S.C. § 503(b)(2)(E).

³⁰ In addition, the record suggests that RNM was aware that its jamming device was causing interference to AT&T's cellular service, yet it continued the illegal operation. On this point, AT&T's engineers state that they twice visited the company and informed RNM employees that the interference appeared to be coming from RNM's facility. Apparently, during each of the AT&T engineers' visits, the interference ceased while they were on-site, but resumed shortly after they left the premises. See *supra* note 7. We find this circumstance particularly disturbing. RNM should have immediately ceased operating the jamming device when it was informed of the interference. By its own admission, RNM knew that it had purchased, installed, and began using a cellular jamming device just prior to the engineers' visits. Although we will not upwardly adjust the forfeiture in this case for this aggravating behavior, we caution RNM and other potential violators that we will strongly consider an upward adjustment of the base forfeiture amount for such behavior in the future.

³¹ See *Taylor Oilfield Mfg., Inc.*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 4972 (2013) (*Taylor Oilfield*) (applying \$16,000 base forfeitures for violations of Section 301 and 302(b) of the Act in signal jammer case and applying such base forfeitures on a per jammer basis); see *The Supply Room, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 4981 (2013) (*Supply Room*) (same).

12. Under this approach, we find that RNM apparently committed three separate violations of the Act and our Rules for the jammer at issue.³² For the unauthorized operation and illegal equipment violations, we will impose a forfeiture of \$16,000 per violation, the maximum per violation forfeiture authorized by statute. For the companion interference violation, we will impose a \$7,000 forfeiture. This would result in a total forfeiture of \$39,000.³³

13. While a \$39,000 forfeiture would certainly reflect the gravity of the violations at issue, we also find it appropriate to consider RNM's surrender of the illegal device to Commission agents. In this regard, we are mindful of the benefits of voluntary relinquishment when illegal devices are involved and will adjust the proposed forfeiture to reflect this aspect of RNM's conduct. We note that the Commission, in coordination with the U.S. Department of Justice, can seize an illegal jamming device, and we will continue to do so in appropriate cases.³⁴ However, voluntary relinquishment expedites the removal of these illegal devices from the stream of commerce. It also curtails the misconduct, precluding further illegal operation and preventing any unlawful advertising and sales in the secondary market. Given the particular circumstances of this case, we therefore will reduce the proposed forfeiture by 25 percent to provide appropriate incentives in this regard.³⁵ Consistent with the *Forfeiture Policy Statement*, Section 1.80 of the Rules, and the statutory factors, we therefore conclude that RNM is apparently liable for a total forfeiture in the amount of twenty-nine thousand two hundred and fifty dollars (\$29,250).

IV. ORDERING CLAUSES

14. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended, and Section 1.80 of the Commission's rules, R&N Manufacturing, Ltd. is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the amount of twenty-nine thousand two hundred and fifty dollars (\$29,250) for violations of Sections 301, 302(b), and 333 of the Act, and of Sections 2.805(a) and 15.1(c) of the Commission's rules.³⁶

15. **IT IS FURTHER ORDERED** that, pursuant to Section 1.80 of the Commission's rules, within thirty (30) calendar days after the release date of this Notice of Apparent Liability for Forfeiture,

³² See 47 U.S.C. §§ 301, 302a(b), 333; 47 C.F.R. §§ 2.805(a), 15.1(c). See also *Directlink, LLC*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 37 (Enf. Bur. 2013) (finding operator apparently violated Sections 301 and 302(b) by operating a transmitter without dynamic frequency selection (DFS) required for certification on an unauthorized frequency); *Skybeam Acquisition Corp.*, Notice of Apparent Liability for Forfeiture and Order, 27 FCC Rcd 11337 (Enf. Bur. 2012) (finding operator apparently violated Sections 301 and 302(b) by operating a transmitter without DFS functionality required for certification on an unauthorized frequency); *VPNet, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 27 FCC Rcd 2879 (Enf. Bur. 2012) (finding operator apparently violated Sections 301 and 302(b) by operating a transmitter with an unauthorized antenna connector voiding certification without a license). Cf. *Scottsdale Lexus*, Notice of Apparent Liability for Forfeiture, 26 FCC Rcd 639 (Enf. Bur. 2011) (finding only Section 301 violation where the operator used certified radios on unauthorized frequencies).

³³ Based on the evidence in the record, we further find that these violations were continuing violations, which lasted for approximately 10 days. As such, the proposed forfeiture is substantially lower than the amount that would result from a straightforward application of the statutory maxima permitted under a continuing violation approach, which would yield a forfeiture in excess of \$337,000. See *supra* para. 10. We may pursue alternative or more aggressive sanctions in the future (such as application of the continuing violation approach) should the per violation approach set forth in this NAL prove ineffective in deterring the unlawful operation of jamming devices.

³⁴ See 47 U.S.C. § 510.

³⁵ See *Supply Room NAL*, *supra* note 31 (reducing proposed forfeiture by 25 percent based on voluntary relinquishment of jammers); *Taylor Oilfield NAL*, *supra* note 31 (same).

³⁶ 47 U.S.C. §§ 301, 302a(b), 333, 503(b); 47 C.F.R. §§ 1.80, 2.805(a), 15.1(c).

R&N Manufacturing, Ltd. **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture.

16. Payment of the forfeiture must be made by check or similar instrument, wire transfer, or credit card, and must include the NAL/Account Number and FRN referenced above. R&N Manufacturing, Ltd. shall also send electronic notification on the date said payment is made to SCR-Response@fcc.gov. Regardless of the form of payment, a completed FCC Form 159 (Remittance Advice) must be submitted.³⁷ When completing the FCC Form 159, enter the Account Number in block number 23A (call sign/other ID) and enter the letters “FORF” in block number 24A (payment type code). Below are additional instructions that R&N Manufacturing, Ltd. should follow based on the form of payment it selects:

- Payment by check or money order must be made payable to the order of the Federal Communications Commission. Such payments (along with the completed Form 159) must be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.
- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. To complete the wire transfer and ensure appropriate crediting of the wired funds, a completed Form 159 must be faxed to U.S. Bank at (314) 418-4232 on the same business day the wire transfer is initiated.
- Payment by credit card must be made by providing the required credit card information on FCC Form 159 and signing and dating the Form 159 to authorize the credit card payment. The completed Form 159 must then be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.

17. Any request for making full payment under an installment plan over time should be sent to: Chief Financial Officer—Financial Operations, Federal Communications Commission, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554.³⁸ If you have questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

18. The written statement seeking reduction or cancellation of the proposed forfeiture, if any, must include a detailed factual statement supported by appropriate documentation and affidavits pursuant to Sections 1.16 and 1.80(f)(3) of the Rules.³⁹ Mail the written statement to Federal Communications Commission, Enforcement Bureau, South Central Region, Houston Office, 9597 Jones Road #362, Houston, Texas 77065, and include the NAL/Acct. No. referenced in the caption. R&N Manufacturing, Ltd. also shall e-mail the written response to SCR-Response@fcc.gov.

19. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices (GAAP); or (3) some other reliable and objective documentation that accurately reflects the petitioner’s current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

³⁷ An FCC Form 159 and detailed instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

³⁸ See 47 C.F.R. § 1.1914.

³⁹ 47 C.F.R. §§ 1.16, 1.80(f)(3).

20. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by both First Class Mail and Certified Mail, Return Receipt Requested, to R&N Manufacturing, Ltd., 6417 Cunningham Road, Houston, TX 77041.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary