



PUBLIC NOTICE

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FCC ENFORCEMENT ADVISORY

WARNING: FCC Authorized Equipment Must be Used in Compliance with All Laws and Rules

Persons or Businesses Using Authorized Equipment In a Manner that Violates Federal Law or the Commission's Rules Are Subject to Enforcement Action

Every day, businesses and consumers use billions of electronic devices that transmit radio signals to communicate, perform important work or life tasks, and provide valuable services. This equipment ranges from small devices like your smartphone and Wi-Fi-enabled thermostat to powerful transmitters used by broadcasters and wireless carriers.

Congress has required the Federal Communications Commission (FCC or Commission) to establish rules governing these devices, including requiring them to minimize their potential for causing harmful interference.¹ Before a radio transmitter may be used, manufactured, sold, marketed, or imported into the United States, the Commission generally requires that it first receive an equipment authorization based on a determination that the device complies with the Commission's technical standards, which are designed to minimize harmful interference and ensure compliance with other operational requirements.² Even if a device has an authorization, however, it may not be used indiscriminately. Authorized equipment must be used in a manner that complies with federal law and the Commission's rules.³

¹ Section 302 of the Communications Act of 1934, as amended, authorizes the Commission to establish reasonable regulations governing the interference potential of devices that operate on most radio frequencies. 47 U.S.C. § 302a(a).

² 47 CFR §§ 2.902, 2.906-7. The equipment authorization rules apply to the manufacture, import, sale, offer for sale, shipment or use of devices capable of emitting radio frequency energy and home electronic equipment and systems. See 47 U.S.C. § 302a(b). However these rules generally do not apply to devices and systems used by the Federal government on government frequencies. See 47 U.S.C. § 302a(c).

³ For licensed services, authorized equipment also must be used in a manner that complies with the terms of the license.

What is Prohibited? Federal law prohibits the use of any authorized equipment in a manner that is inconsistent with the terms of its equipment authorization or that is in violation of the Communications Act or the Commission's rules. An equipment authorization signifies that the equipment meets FCC technical standards, which often control radio frequency interference—it is *not* an authorization to use a device in any possible way. Here are a few examples of authorized equipment being used in an unlawful manner:

- The use of authorized Wi-Fi equipment to intentionally disrupt the lawful operation of neighboring Wi-Fi networks.
- The use of authorized broadcast transmitters to operate unlicensed or “pirate” radio stations.
- The use of authorized Unlicensed National Information Infrastructure (U-NII) devices on unauthorized frequencies or, on certain frequencies, without a Dynamic Frequency Selection (DFS) radar detection mechanism enabled.
- The use of authorized Wi-Fi routers on unauthorized channels or on authorized channels at unauthorized power levels.
- The programming and use of private land mobile radios (Part 90 radios) to operate on unauthorized channels.

If you operate authorized equipment in a manner that is inconsistent with the Communications Act, the Commission's rules, or the equipment's authorization, you could face enforcement action, including the possible assessment of monetary penalties.

What Should You Do if You Suspect Equipment is Being Used in an Unauthorized Manner? If you have reason to believe that radio frequency equipment is being used in a manner inconsistent with the terms of its authorization or is otherwise being used in a manner that violates the Commission's rules or the Communications Act, you can file a complaint with the FCC. To do so, you can visit www.fcc.gov/complaints. If you contact the FCC, you are encouraged to provide as much detail as possible regarding the unauthorized use, including the date, time, location, and possible source.

Need More Information? Media inquiries should be directed to Will Wiquist at 202-418-0509 or will.wiquist@fcc.gov. For general information on the FCC, you may visit our website at www.fcc.gov. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Issued by: Chief, Enforcement Bureau