



## LAND MOBILE COMMUNICATIONS COUNCIL

June 7, 2018

Commissioner Michael O'Rielly  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Non-Compliant Wireless Devices

Dear Commissioner O'Rielly:

The members of the Land Mobile Communications Council (LMCC) wholeheartedly endorse your efforts to enlist the support of eBay and Amazon to partner with the Federal Communications Commission (FCC) in fighting the distribution of illegal products that fail to comply with and/or falsely use FCC branding on their devices. LMCC is a nonprofit association of organizations that represent the wireless communications interests of public safety, critical infrastructure, business, industrial, transportation, private carriers, and manufacturers of wireless communications equipment. The LMCC has a similar concern to that which you have raised regarding non-compliant set-top boxes that are sold through those two companies. Our issue is the widespread importation, distribution, and use of radio frequency devices that do not comply with FCC rules.

The two-way radios in question are being marketed for use by any individual or entity, for any purpose, without regard to Federal and non-Federal spectrum allocations, user eligibility, or licensing requirements. Some devices indicate that they have been certified by the FCC while others do not. Even those that display an FCC certification are shipped to consumers and businesses from eBay and Amazon preprogrammed on a variety of channels for which the user is ineligible including aeronautical, broadcast auxiliary, and public safety frequencies. Some come with programming instructions that allow consumers to modify the radios to operate on any channel from 136-174 MHz and 400-520 MHz. As you can appreciate, these devices pose a serious risk of harmful interference to Federal systems and FCC-compliant systems operated by legitimate licensees.

Members of the LMCC raised these concerns with Enforcement Bureau Chief Rosemary Harold and key staff earlier this year. As a result of that meeting, the LMCC prepared and forwarded to the Bureau two proposed "Alerts:" one was an advisory directed towards businesses and consumers; the other was addressed to distributors of these non-compliant radio devices. We hope the Enforcement Bureau will release these Alerts, but in the interim, it would be greatly appreciated if your office could bring to the attention of eBay and Amazon the risks to the American public of the continued distribution of non-compliant radio devices, the level of which we understand reaches 1,000,000 units annually.

If it would be helpful, the LMCC would appreciate the opportunity to provide further information regarding this matter to your office. We sincerely appreciate your efforts to aggressively confront the distribution of wireless devices that do not comply with FCC requirements and that pose real threats to legitimate communication systems. Our contact information is provided below.

Sincerely,

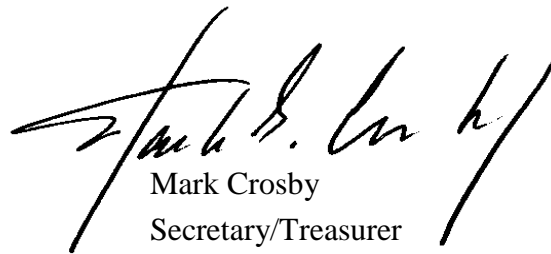


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