



PUBLIC NOTICE

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Office of Engineering and Technology and Compliance and Information Bureau
Warn Against the Manufacture, Importation, Marketing
or Operation of Transmitters Designed to Prevent or
Otherwise Interfere with Cellular Radio Communications

The Commission's Office of Engineering and Technology (OET) and Compliance and Information Bureau (CIB) have received several inquiries concerning the use of transmitters designed to prevent or jam the operation of cellular telephones in hospitals, theaters and other locations. The Communications Act of 1934, as amended, and the Commission's Rules do not permit these devices to be manufactured, imported, marketed or operated within the United States.

Section 302(b) of the Communications Act, 47 USC 302(b), prohibits the manufacture, importation, sale, offer for sale, or use of devices that fail to comply with the regulations promulgated pursuant to this section. Similar prohibitions are contained in the Commission's rules, *e.g.*, 47 CFR Sections 2.803, 2.1203, and 22.377. In addition, in accordance with Section 301 of the Communications Act, 47 USC 301, persons operating or using radio transmitters must be licensed or authorized under the Commission's rules. There are no provisions in the FCC's rules that permit the operation of any device intended to interfere with cellular communications. Further, Section 333 of the Communications Act, 47 USC 333, prohibits any person from willfully or maliciously interfering with the radio communications of any station licensed or authorized under the Communications Act or operated by the U.S. Government.

Based on the above, the operation of transmitters designed to jam cellular communications is a violation of 47 USC 301, 302(b), and 333. The manufacture, importation, sale or offer for sale, including advertising, of such transmitters is a violation of 47 USC 302(b). Parties in violation of these provisions may be subject to the penalties contained within 47 USC 501-510. Fines for a first offense can range as high as \$ 11,000 for each violation or imprisonment for up to one year. The equipment can also be seized and forfeited to the U.S. Government.

OET and CIB wish to emphasize that the above regulations apply to all transmitters that are

designed to cause interference to, or prevent the operation of, other radio communication systems.

Questions regarding this Public Notice may be directed to the Commission's National Call Center at 1-888-CALL FCC (1-888-225-5322).