

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

In the Matter of:)	
)	
Change in Request for Mobile and Portable)	
Ownership and License Tagging for)	RM 10641
FCC Parts 5, 15, 18, 74, 80, 95 & 97)	

Comments of The Information Technology Industry Council

The Information Technology Industry Council (ITI) represents the top U.S. providers of information technology products and services. ITI is the voice of the high tech community, advocating policies that advance industry leadership in technology and innovation, open access to new and emerging markets, support for e-commerce expansion, protect consumer choice, and enhance the global competitiveness of its member companies.

The Information Technology Industry Council strongly opposes the petition from Dale E. Reich to create a customer registration for unlicensed devices. The proposed registration requirement would add costs for consumers as well as create a costly administrative burden for retailers and manufacturers while providing no added benefits or protections for the consumer. Furthermore, the proposed requirement would not help enforcement for any potential harmful interference from unlicensed devices. The petition does not provide any rationale for such a registration mechanism whatsoever, nor does it provide any evidence of a problem to remedy.

The petition by Mr. Reich proposes a retail operator inform local law enforcement agencies of any suspicious users of this type of equipment. However, enforcement of unlicensed devices is not the responsibility of either local or state law enforcement agencies or retail stores and their management. Moreover, there is no compelling rationale for local law enforcement to interject themselves into the enforcement of FCC regulations. In fact, it is contrary to the enforcement authority set forth under Commission rules.

Additionally, the petition proposes that transmitters be tagged under the requirements of Part 2 of the FCC rules. However, all transmitters currently are required to have a FCC certification identifier unique to the manufacturer of each radio. This certification number can be verified by anyone with access to the Internet by checking the certification number on the FCC Office of Engineering and Technology web site. Therefore, what is being proposed by this tagging protocol is already in place under Part 2 of the FCC rules.

ITI respectfully encourages the FCC to dismiss this petition for rule making based on these comments.

Respectfully submitted,

Rhett Dawson
President