

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

In the Matter of

Derycom Certification Services, Inc.

File No.: EB-SED-26-00041408

CITATION

Failure to Submit Truthful Information to the Commission and Engaging in Unauthorized Actions

Adopted: September 11, 2026

Released: September 11, 2026

By the Acting Chief, Enforcement Bureau:

I. NOTICE OF CITATION

1. This **CITATION** (Citation) notifies Derycom Certification Services, Inc. (Derycom or Company) it falsely stated that it is based in the United States to obtain status as a Telecommunication Certification Body (TCB) and operated beyond its authorized technical scope. These issues call into question the integrity of Derycom's regulatory compliance testing across multiple sectors of electronic devices marketed in the United States.

2. ***Notice of Duty to Comply with the Law:*** We issue this Citation pursuant to section 503(b)(5) of the Communications Act of 1934, as amended (Act), which states that the Commission may not impose monetary forfeitures against a person¹ who does not hold a license, permit, certificate, or other authorization issued by the Commission and a person who is not an applicant for such authorizations unless and until: (a) the Commission issues a citation to the violator; (b) the Commission provides the violator a reasonable opportunity to respond; and (c) the violator subsequently engages in conduct described in the citation.² Accordingly, because Derycom is no longer recognized by the Commission as a TCB, it is hereby on notice that it must comply with sections 1.17 and Part 2, Subpart J of the Commission's rules.³ If Derycom subsequently engages in any conduct described in this Citation, it may be subject to civil penalties, including but not limited to, substantial monetary forfeitures. In assessing such forfeitures, the Commission may consider both the conduct that led to this Citation and the conduct following the Citation.⁴

II. BACKGROUND

A. Legal Background

1. Truthful and Accurate Statements to the Commission

3. Section 1.17 of the Commission's rules prohibits any person subject to the rule from making any false statement of material fact, or omitting any material fact, in any investigatory or

¹ A "person" includes an individual, partnership, association, joint-stock company, trust, or corporation. 47 U.S.C. § 153(39).

² See 47 U.S.C. § 503(b)(5).

³ 47 CFR § 1.17; 47 CFR Part 2, Subpart J. TCBs currently recognized by the Commission do not require a citation prior to imposition of monetary forfeitures for violations of the Commission's rules. See 47 U.S.C. § 503(b)(5).

⁴ See S. Rep. No. 95-580, 95th Cong., 1st Sess. at 9 (1977) (If a person or entity that has been issued a citation by the Commission thereafter engages in the conduct for which the citation of violation was sent, the subsequent notice of apparent liability "would attach not only for the conduct occurring subsequently *but also for the conduct for which the citation was originally sent.*") (emphasis added).

adjudicatory matter within the Commission's jurisdiction.⁵ Section 1.17 of the Commission's rules applies broadly to all adjudicatory and investigatory matters before the Commission.⁶ It includes, among other matters, any applicant for a Commission authorization,⁷ any person engaging in an activity without such authorization,⁸ and any person that is the subject of a Commission or staff investigation, including informal investigations.⁹ The Commission has made clear that it relies heavily on the truthfulness and accuracy of the information provided to it.¹⁰ Such information is critical to the Commission's processes and is even more important when matters of public safety are at stake.¹¹ Thus, even seemingly minor errors, such as an incorrect address, can impede the Commission's ability to fulfill its statutory responsibilities and have been found to constitute apparent violations of section 1.17 of the Commission's rules.¹²

4. A violation of section 1.17(a)(1) of the Commission's rules requires an intent to deceive the Commission.¹³ Alternatively, a violation of section 1.17(a)(2) of the Commission's rules does not

⁵ See 47 CFR § 1.17(a)(1)-(2) ("... no person subject to this rule shall ... (1) In any written or oral statement of fact, intentionally provide material factual information that is incorrect or intentionally omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading and (2) In any written statement of fact, provide material factual information that is incorrect or omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading without a reasonable basis for believing that any such material factual statement is correct and not misleading.").

⁶ See 47 CFR § 1.17(a); see also 5 U.S.C. § 551(7) (defining the term "adjudication" to mean the "agency process for the formulation of an order"); 5 U.S.C. § 551(9) (defining the term "licensing" to include the "agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or condition of a license"). A TCB's recognition process for authorization to certify equipment is an adjudicatory matter subject to section 1.17 of the Commission's rules

⁷ 47 CFR § 1.17(b)(1).

⁸ 47 CFR § 1.17(b)(3).

⁹ 47 CFR § 1.17(b)(4).

¹⁰ See, e.g., *Corridor Television, L.L.P., Licensee of KCWX(TV), Fredericksburg, Texas*, Notice of Apparent Liability for Forfeiture, 40 FCC Rcd 567 (2025) (finding that Corridor submitted incorrect or misleading information in violation of section 1.17(a)(2) of the Commission's rules); *Corridor Television, L.L.P., Licensee of KCWX(TV), Fredericksburg, Texas*, Order, 2026 WL 2428087 (EB 2026) (the Bureau settled with Corridor Television to resolve the investigation into whether, among other things, Corridor Television violated section 1.17(a)(2) of the Commission's rules); *Eken Group Limited*, Notice of Apparent Liability for Forfeiture, 39 FCC Rcd 12990 (2024) (finding that Eken submitted untruthful information to the Commission for purposes of service of process and failure to respond to a letter of inquiry in violation of section 1.17 of the Commission's rules).

¹¹ See *Aura Holdings of Wisconsin, Inc.*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 3688, 3688, para. 2 (2018) (proposing the statutory maximum penalty of \$235,668 for willful and repeated failure to provide truthful and accurate information to the Commission), *forfeiture order issued*, 34 FCC Rcd 2540 (2019) (upholding \$235,688 penalty).

¹² See *Amendment of Section 1.17 of the Commission's Rules Concerning Truthful Statements to the Commission, Notice of Proposed Rulemaking*, 17 FCC Rcd 3296, 3297, para. 3 (2002) (expanding the scope of section 1.17 to apply more broadly to obligations of persons interacting with the Commission); *Tone Commc'n Servs.*, Notice of Apparent Liability for Forfeiture and Order Initiating Removal Proceeding, 39 FCC Rcd 843 (2024) (counting, among section 1.17 violations, submission of incorrect address in an election form to the Universal Service Administrative Company).

¹³ See 47 CFR § 1.17(a)(1). A violation of 1.17(a)(1) of the Commission's rules has historically called into question whether the licensee has the character or fitness to be a licensee. *Opus Media Group, Inc.*, Memorandum Opinion and Order, 11 FCC Rcd 15485, 15486, para. 11 (1996) ("Misrepresentation involves false statements of fact made with an intent to deceive."); *Northwest Rock N Roll Preservation Society Application for License to Cover K266BM*, Olympia, Washington, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 38 FCC Rcd 7760, 7765, para. 16 (MB 2023) ("A misrepresentation (a false statement of fact or false certification made with intent to deceive the Commission) is within the scope of section 1.17(a)(1). Similarly, lack of candor (a

(continued....)

require intent to deceive; a statement is actionable if it is incorrect and made without a reasonable basis to believe it is accurate and not misleading.¹⁴ The Commission therefore has repeatedly emphasized that parties covered by section 1.17 of the Commission's rules must exercise due diligence to ensure the accuracy of all information submitted, which includes taking affirmative steps to verify the truthfulness of their representations.¹⁵ A failure to exercise reasonable diligence demonstrates that the party lacked a reasonable basis for believing the submitted information was correct.¹⁶ Accordingly, a TCB that fails to provide truthful, accurate, and complete information undermines the integrity of the equipment authorization system and thereby risks jeopardizing public safety.¹⁷

2. Telecommunications Certification Body Authority Requirements

5. The Commission's equipment authorization program is established under Sections 302 and 303 of the Communications Act (Act), 47 U.S.C. §§ 302a, 303, and implemented in Part 2, Subpart J of the Commission's rules.¹⁸ The Act directs the Commission to regulate radiofrequency (RF) devices to prevent harmful interference and ensure spectrum reliability.¹⁹ Under Section 2.907 of the Commission's rules, RF devices may be certified only by the Commission or recognized TCBs.²⁰ Among other requirements, TCBs located in the United States must be accredited and designated by the National Institute of Standards and Technology (NIST) in accordance with the International Organization for Standardization and the International Electrotechnical Commission (ISO/IEC) 17025²¹ or a qualified

concealment, evasion, or other failure to be fully informative, accompanied by an intent to deceive the Commission) is within the scope of the rule. A necessary and essential element of both misrepresentation and lack of candor is intent to deceive.”).

¹⁴ See 47 CFR § 1.17(a)(2); *Amendment of Section 1.17 of the Commission's Rules Concerning Truthful Statements to the Commission*, Report and Order, 18 FCC Rcd 4016, 4017, para. 4 (2003) *recons. denied*, *Memorandum Opinion and Order*, 19 FCC Rcd 5790 (2004), *further recons. denied*, *Memorandum Opinion and Order*, 20 FCC Rcd 1250 (2004) (*1.17 Amendment Order*) (stating revision to section 1.17 of the Commission's rules is intended to “prohibit incorrect statements or omissions that are the result of negligence, as well as an intent to deceive.”); *id.* at 4019, para. 5 (“[T]hese changes achieve . . . our objective of codifying an appropriate standard of care regarding submissions of information to the Commission and ensuring that we may take appropriate enforcement action when regulatees submit incorrect or misleading information to the Commission. The new rule improves upon the old rule by making clear that its obligations extend to all regulatees and not just to applicants, licensees, and permittees.”).

¹⁵ See *1.17 Amendment Order*, 18 FCC Rcd at 4021, para. 12; *Neon Phone Serv., Inc.*, Notice of Apparent Liability for Forfeiture, 32 FCC Rcd 7964, 7968, para. 10 (2017).

¹⁶ *1.17 Amendment Order*, 18 FCC Rcd at 4021, para. 12.

¹⁷ See generally *Ex Parte Complaint of Marcus Spectrum Solutions, LLC*, *Memorandum Opinion and Order*, 26 FCC Rcd 2351, 2357, n 50 (2011) (“The Character Policy Statement, originally formulated to evaluate the misconduct of broadcast applicants, has since been applied to the misconduct of Commission regulatees generally. See, e.g., *MCI Telecommunications Corp.*, 3 FCC Rcd 509, 534, n.14 (1985) (character qualifications adopted in the broadcast context can provide guidance in the common carrier context)”).

¹⁸ See 47 U.S.C. §§ 302(a), 303; 47 CFR Part 2, Subpart J.

¹⁹ See 47 U.S.C. § 302(a) (“The Commission may, consistent with the public interest, convenience, and necessity, make reasonable regulations (1) governing the interference potential of devices which in their operation are capable of emitting radio frequency energy by radiation, conduction, or other means in sufficient degree to cause harmful interference to radio communications; and (2) establishing minimum performance standards for home electronic equipment and systems to reduce their susceptibility to interference from radio frequency energy. Such regulations shall be applicable to the manufacture, import, sale, offer for sale, or shipment of such devices and home electronic equipment and systems, and to the use of such devices.”).

²⁰ 47 CFR § 2.907(a).

²¹ ISO/IEC 17025 enables laboratories to demonstrate that they operate competently and generate valid results, thereby promoting confidence in their work both nationally and around the world. ISO, ISO/IEC 17025, Testing and calibration laboratories, <https://www.iso.org/ISO-IEC-17025-testing-and-calibration-laboratories.html> (last visited Sept. 4, 2026).

accrediting body on the behalf of the NIST.²² The FCC recognizes TCBs located outside of the United States if they are designated in accordance with the terms of a bilateral or multilateral mutual recognition agreement or arrangement (MRA) to which the United States is a party.²³ The United States is not a party to an MRA with China, and no existing MRA permits recognition of TCBs in China; therefore, the Commission does not recognize TCBs located there.²⁴

6. TCBs must demonstrate expert knowledge of all applicable regulations, policies, and procedures; maintain the technical expertise and capability to test the equipment; ensure impartiality, and certify only those devices that fall within the accredited and recognized scope of their technical capability.²⁵ Section 2.962 of the Commission's rules outlines the responsibilities and limitations of recognized TCBs.²⁶ In particular, TCBs are required to evaluate RF equipment for compliance with the Commission's regulations and policies²⁷ and are prohibited from outsourcing review and certification activities.²⁸ The Commission's rules and policies prohibit TCBs from certifying equipment outside their authorized scope.²⁹ Under section 2.962(d)(4) of the Commission's rules, TCBs must dismiss any application that does not comply with the Commission's equipment authorization rules.³⁰

B. Factual Background

7. Derycom claims to be a globally recognized testing and certification body specializing in electromagnetic compatibility (EMC), RF, and product compliance services.³¹ Derycom was

²² 47 CFR § 2.960(c).

²³ 47 CFR § 2.960(d).

²⁴ See *id.*

²⁵ See 47 CFR § 2.960(a).

²⁶ 47 CFR § 2.962.

²⁷ See 47 CFR §§ 2.962(a), (d)(1).

²⁸ See 47 CFR § 2.962(b).

²⁹ See 47 CFR § 2.960(a)(4) (the Commission considers for recognition “by means of accreditation specifying the group of equipment to be certified and the applicable regulations for product evaluation, meets all appropriate specifications in ISO/IEC 17065 requirements for the scope of equipment the TCB would certify”); 47 CFR § 2.960(a)(6) (a TCB must have the technical expertise and capability to test the equipment it certifies and must be accredited under ISO/IEC 17025 to demonstrate competence in performing the necessary testing); 47 CFR § 2.962(d)(1) (requiring TCBs to certify equipment in accordance with the Commission's rules in Part 2, Subpart J, and all applicable Commission policies); Federal Communications Commission Office of Engineering and Technology Laboratory Division, TCB Program Roles and Responsibilities, at 2-3 (rel. Aug. 7, 2023), https://apps.fcc.gov/kdb/GetAttachment.html?id=YeSMCvksfObXQ%2BrNuC5fKg%3D%3D&desc=641163%20D01%20TCB%20Program%20Roles%20and%20Resp%20v04r02&tracking_number=44683 (providing the scopes for TCB accreditation) (last visited Sept. 8, 2026); see also *FCC Provides Further Information on the Accreditation Requirements for Telecommunications Certification Bodies*, GN Docket 98-68, Public Notice, 12 FCC Rcd 6641 (1999) (stating that accreditation is available for multiple equipment scopes subject to certification. TCBs may obtain accreditation for any or all of these scopes, depending on their operational needs. Each scope includes the specific technical capabilities a TCB must demonstrate in order to receive accreditation for that category of equipment); 1998 Biennial Regulatory Review -- Amendment of Parts 2, 25 and 68 of the Commission's Rules to Further Streamline the Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, Implement Mutual Recognition Agreements and Begin Implementation of the Global Mobile Personal Communications by Satellite (GMPCS) Arrangements, Report and Order, GEN Docket No. 98-68, 13 FCC Rcd 24687, 24695, para. 17 (1998) (“TCBs should have the expertise and capability to test equipment they certify, since they will either perform measurements themselves or will use this expertise and capability to correctly review test data from other parties and perform audit testing as required”).

³⁰ 47 CFR § 2.962(d)(4).

³¹ See “Your Trusted Partner in Product Compliance,” www.derycom-us.com/About Us/ (last visited Sept. 3, 2026).

incorporated in Minnesota on December 7, 2022.³² On July 26, 2024, Derycom was accredited by the American Association for Laboratory Accreditation (A2LA) through June 30, 2026, and authorized to certify RF devices up to 40 GHz.³³ Derycom subsequently received designation as a TCB from the NIST on October 2, 2024,³⁴ and recognition from the Commission as a TCB on the same date.³⁵ In May 2026, the A2LA suspended its accreditation of Derycom.³⁶ Subsequently, on May 19, 2026, the NIST suspended Derycom's TCB designation,³⁷ and the FCC suspended its recognition of Derycom as a TCB.³⁸ On June 30, 2026, Derycom's FCC recognition expired,³⁹ and the Company has not applied for renewal.

8. On June 11, 2026, the Commission's Office of Engineering and Technology (OET) initiated an investigation and issued a letter to Derycom requesting responses to a series of requests for information.⁴⁰ Derycom submitted its responses on June 18, 2026.⁴¹ In its June 18 Letter, Derycom stated that, pursuant to a lease agreement with International Certification Services, LLC (ICS), it shared the same physical and mailing address as ICS at 1100 Falcon Avenue, Glencoe, Minnesota (Minnesota Location).⁴² Derycom further identified a total of six employees.⁴³ Out of these six employees, Derycom identified that five of the employees are located in China:⁴⁴ three administrative personnel, its Quality Manager, and its Managing Director.⁴⁵ Derycom reported that Haiyan Liu, a citizen of China, holds a 99% ownership interest in Derycom.⁴⁶ Derycom further disclosed that it employed four contract technical reviewers, all of whom are located in China.⁴⁷ In addition, Derycom identified Mr. Tousignant as a

³² See Office of the Minnesota, Secretary of State, Business & Liens, <https://mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=b5611e3f-0b76-ed11-9065-00155d01c614>; see also Letter from Joe Chew, Managing Director, Derycom Certification Services, Inc., to the Office of Engineering and Technology, FCC, at Exhibit E - Certificate of Incorporation, (June 18, 2026) (on file in EB-SED-26-00041408) (June 18 Letter).

³³ See Letter to Derycom Certification Services, Inc, from the A2LA Product Certification Body (granting Derycom accreditation through June 30, 2026, Certificate Number 7148.01, and stating that "[t]his accreditation demonstrates technical competence for a defined scope and the operation of a management system.") (on file in EB-SED-26-00041408) (Derycom Accreditation); Letter to the FCC Columbia Field Office from Derycom Certification Services, Inc., at 1 (Apr. 24, 2026) (on file in EB-SED-26-00041408) (April 24 Letter).

³⁴ See Letter from Ramona Saar, Program Manager, National Institute of Standards and Technology, to the Office of Engineering and Technology, FCC (on file in EB-SED-26-00041408) (Oct. 2, 2024) (Derycom NIST Designation).

³⁵ See *id.*

³⁶ See generally "Suspensions and Withdrawals," <https://portal.a2la.org/search/susdefinitions.cfm> (last visited Sept. 8, 2026) (Derycom A2LA Accreditation Suspension).

³⁷ See E-mail from Ramona Saar, Program Manager, National Institute of Standards and Technology, to Haiyan Liu, Chief Executive Officer, Derycom Certification Services, Inc. (on file in EB-SED 26-00041408) (May 19, 2026 0450 EDT) (Derycom NIST Suspension).

³⁸ See Derycom A2LA Accreditation Suspension.

³⁹ See Derycom NIST Designation; see also Derycom Accreditation.

⁴⁰ See Letter from Office of Engineering and Technology, to Derycom Certification Services, Inc. (June 11, 2026) (on file in EB-SED-26-00041408) (June 11 Letter).

⁴¹ See June 18 Letter.

⁴² *Id.* at 3.

⁴³ June 18 Letter, Attachment D - Organizational Chart.

⁴⁴ June 18 Letter at 12.

⁴⁵ *Id.*; see also June 18 Letter, Attachment D - Organizational Chart.

⁴⁶ June 18 Letter at 13.

⁴⁷ *Id.* at 12.

Technical Reviewer/Evaluator.⁴⁸ Derycom also admitted that it issued certifications for at least ten devices requiring testing beyond 40 GHz⁴⁹ and acknowledged that these certifications were outside the Company's "approved scope" as a TCB.⁵⁰

9. Subsequently, on August 5, 2026, as part of the Commission's investigation of Derycom, ICS's owner and Chief Executive Officer (CEO), Joseph Tousignant, provided a Declaration under penalty of perjury stating that Derycom never performed work at the Minnesota Location, other than participating in three A2LA assessments and never assigned personnel to work at the Minnesota Location.⁵¹ Mr. Tousignant further stated ICS did not receive payments from Derycom beyond payments associated with A2LA assessment-related expenses, ICS never performed any testing for Derycom, and that he never performed technical work for Derycom.⁵²

III. APPLICABLE LAW AND VIOLATIONS

10. *Failure to Submit Truthful Information.* The Commission has repeatedly emphasized that accurate information is essential to its ability to carry out its statutory responsibilities.⁵³ Any form of false statement, whether deliberate or negligent, directly undermines the integrity of Commission processes.⁵⁴ Section 1.17(a)(1) of the Commission's rules prohibits any person, in any investigatory or adjudicatory matter, from intentionally providing in any written or oral statement of fact, material factual information that is incorrect or intentionally omitting material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading.⁵⁵ Section 1.17(a)(1) of the Commission's rules applies to intentional misrepresentation or lack of candor,⁵⁶ while section 1.17(a)(2) of the Commission's rules applies to negligent false statements or omissions of material facts.⁵⁷ A violation of section 1.17 of the Commission's rules, whether intentional or unintentional, may give rise to a forfeiture penalty under section 503 of the Act.⁵⁸

⁴⁸ *Id.* at Attachment D - Organizational Chart.

⁴⁹ See April 24 Letter at 2-3. These devices included: FCC ID 2AD56HLK-LD6002 (with a required testing maximum frequency up to 200 GHz); FCC ID 2AZGI-AF130 (with a required testing maximum frequency up to 220 GHz); FCC ID 2AMUU-MS605 (with a required testing maximum frequency up to 100 GHz); FCC ID 2AQ7Q-DB7U1R455 (with a required testing maximum frequency up to 100 GHz); FCC ID 2ATM77806 (with a required testing maximum frequency up to 100 GHz); FCC ID 2BS4BAW101ANRISLEEP (with a required testing maximum frequency up to 200 GHz); FCC ID 2AF9HT70 (with a required testing maximum frequency up to 100 GHz); FCC ID 2ACN7TL615 (with a required testing maximum frequency up to 100 GHz); FCC ID 2BUM4-CQRSENWB01 (with a required testing maximum frequency up to 100 GHz); and FCC ID 2BTVF-BCN2 (with a required testing maximum frequency up to 100 GHz).

⁵⁰ *Id.*

⁵¹ Declaration of Joseph Tousignant, Owner and Chief Executive Officer of International Certification Services LLC, at 1 (Aug. 5, 2026) (on file in EB-SED-26-00041408) (Tousignant Declaration).

⁵² *Id.*

⁵³ See *supra* paras. 3-4.

⁵⁴ See *supra* n.12.

⁵⁵ 47 CFR § 1.17(a)(1).

⁵⁶ 47 CFR § 1.17(a)(2).

⁵⁷ See 47 CFR §§ 1.17(a)(1)-(2).

⁵⁸ 47 U.S.C. § 503(b)(1)(B) (any person who is found, in accordance with procedures set forth in section 503, to have willfully or repeatedly failed to comply with provisions of the Act or "any rule, regulation, or order issued by the Commission" shall be liable for a forfeiture penalty).

11. Based on the record before us, it appears Derycom intentionally falsely stated⁵⁹ or, in the alternative, negligently falsely stated,⁶⁰ its U.S. presence to obtain accreditation, the NIST designation, and FCC recognition as a TCB.⁶¹ Although Derycom claimed to operate out of 1100 Falcon Avenue, Glencoe, Minnesota,⁶² pursuant to its lease agreement with ICS,⁶³ ICS contradicted this claim. ICS's owner and CEO, Mr. Tousignant, affirmed under oath that Derycom never performed any work at that location other than participating in three A2LA assessments, and Derycom never assigned personnel to work at the facility.⁶⁴ Additionally, Mr. Tousignant stated that Derycom never compensated ICS for use of the facility beyond payments associated with A2LA assessment-related costs, and that ICS never performed any testing for Derycom.⁶⁵

12. Derycom admitted that four contract technical reviewers and three administrative personnel, along with its Quality Manager and Managing Director, are based in China.⁶⁶ Additionally, its majority owner, holding 99 percent stake in the Company, is also a Chinese citizen.⁶⁷ Yet Derycom failed to disclose these facts when representing itself as a U.S.-based TCB as part of its accreditation and recognition process. This misrepresentation or omission, acknowledged as part of its response to OET's June 11 Letter, is not a minor oversight because entities located in non-MRA countries, such as China, cannot be designated by the NIST or recognized by the Commission.⁶⁸ Further, Derycom continued to list Joseph Tousignant as a reviewer,⁶⁹ even though he expressly states that he never performed any technical work for Derycom.⁷⁰ Derycom had an obligation to disclose this information under section 2.960 of the Commission's rules.⁷¹ Moreover, section 2.962(b) of the Commission's rules prohibits TCBs from outsourcing review and certification activities.⁷² These omissions and false statements are material misrepresentations and constitute a violation of the Commission's rules.⁷³

13. *Engaging in Unauthorized Actions.* Under Part 2, Subpart J of the Commission's rules, a TCB may grant equipment certifications only within the specific authority delegated to it.⁷⁴ Sections 2.960 and 2.962 of the Commission's rules set forth the requirements, responsibilities, and limitations

⁵⁹ See 47 CFR § 1.17(a)(1).

⁶⁰ See 47 CFR § 1.17(a)(2).

⁶¹ See *supra* paras. 8-9.

⁶² See *id.*; Derycom, <https://derycom-us.com> (last visited Sept. 6, 2026) (on file in EB-SED-26-00041408).

⁶³ See June 18 Letter, Attachment A – {[]} (on file in EB-SED-26-00041408) ([]).

}}).

Material set off by double brackets {[]} is confidential and is redacted from the public version of this document.

⁶⁴ Tousignant Declaration at 1.

⁶⁵ *Id.*

⁶⁶ See *supra* para. 8; June 18 Letter at 12.

⁶⁷ June 18 Letter at 13.

⁶⁸ 47 CFR § 2.960(d).

⁶⁹ *Id.* at Attachment D – Organizational Chart.

⁷⁰ Tousignant Declaration at 1.

⁷¹ See 47 CFR § 2.960.

⁷² See 47 CFR § 2.926(b).

⁷³ See 47 CFR 1.17; 47 CFR Part 2, Subpart J; Tousignant Declaration at 1.

⁷⁴ See *supra* para. 6, n.29.

applicable to TCBs.⁷⁵ These rules specify that TCBs must comply with all Commission procedures, maintain the requisite technical competence, and issue certifications only for equipment types for which they have been approved to evaluate and test.⁷⁶ TCBs are prohibited from performing activities outside that scope or otherwise exceeding their delegated authority.⁷⁷ Because the Commission relies on TCBs to ensure certified equipment complies with all applicable requirements, any certification issued beyond a TCB's authorized scope undermines the equipment authorization program and the Commission's ability to enforce compliance with technical standards.⁷⁸ Such actions may constitute a violation of Part 2 of the Commission's rules and raise questions regarding the accuracy and completeness of information provided to the Commission in connection with the certification process.⁷⁹

14. Derycom was expressly authorized to certify RF devices up to 40 GHz.⁸⁰ Despite this limitation, Derycom certified at least ten devices requiring testing up to 100 GHz, 200 GHz, and 220 GHz, well beyond its approved scope.⁸¹ Derycom itself admitted that these devices fell "outside the TCB's approved scope,"⁸² representing a clear violation of the Commission's rules and policies, which requires TCBs to certify only equipment within their technical capability.⁸³ TCB scope limitations ensure that each certification body evaluates only the equipment for which it has been formally accredited and proven technically competent.⁸⁴ These limits protect regulatory integrity, safety, and consistency by preventing certification bodies from operating outside their expertise and ensuring they possess the necessary competence, facilities, and resources to evaluate the equipment properly. Any grant of certification that permits operation beyond a TCB's authorized scope exceeds the TCB's authority, undermines the Commission's equipment authorization framework and, are grounds to subject the TCB to potential enforcement action.⁸⁵

IV. OPPORTUNITY TO RESPOND TO THIS CITATION

15. Derycom may respond to this Citation within 30 calendar days from the release date of this Citation by any of the following methods: (a) a written statement; (b) or a teleconference interview; or (c) a personal interview at the Commission Field Office nearest to Derycom's place of business. The Commission Field Office nearest to Derycom's place of business provided in the EAS is located in Chicago, Illinois.

16. If Derycom requests a teleconference or personal interview, contact Spectrum Enforcement Division, FCC Enforcement Bureau, via email at EB-SED-Response@fcc.gov. We note that such teleconference must take place within 30 calendar days of the release date of this Citation. If Derycom prefers to submit a written response with supporting documentation, it must send the response within 30 calendar days of the release date of this Citation to the mailing and e-mail address below:

⁷⁵ See 47 CFR §§ 2.960, 2.962.

⁷⁶ See 47 CFR §§ 2.960, 2.962.

⁷⁷ See *supra* n.29.

⁷⁸ See 47 CFR § 2.960(i) (even if the Commission withdraws recognition of a TCB, the certifications issued by the TCB remain valid unless specifically set aside or revoked by the Commission).

⁷⁹ 47 CFR Part 2, Subpart J.

⁸⁰ See Derycom Accreditation; *see also* April 24 Letter at 1.

⁸¹ See *supra* n.49; April 24 Letter at 2-3.

⁸² April 24 Letter at 2-3.

⁸³ See *supra* n.29.

⁸⁴ See 47 CFR § 2.960.

⁸⁵ See 47 CFR §§ 2.962(h) ("All TCB actions are subject to Commission review."), 2.960(g), (h), (enumerating reasons to withdraw recognition of a TCB), and 2.960(i) (even if the Commission withdraws recognition of a TCB, the certifications issued by the TCB remain valid unless specifically set aside or revoked by the Commission).

Spectrum Enforcement Division
Enforcement Bureau
Federal Communications Commission
45 L Street NE
Washington DC 20554
EB-SED-Response@fcc.gov
Re: EB-SED-26-00041408

17. Upon request, the Commission will make reasonable accommodations for persons with disabilities. If applicable, Derycom should provide a detailed description of the accommodation required, and provide a telephone number and other contact information. Derycom should allow at least five business days advance notice; last minute requests will be accepted but may be impossible to fill. Derycom should send an e-mail to fcc504@fcc.gov or call the FCC's Consumer and Governmental Affairs Bureau:

- For sign language interpreters, Communication Access Realtime Translation (CART), and other reasonable accommodations: (202) 418-0530 (voice), (202) 418-0432 (tty); and
- For accessible format materials (braille, large print, electronic files, and audio format): (202) 418-0531 (voice), (202) 418-7365 (tty).

18. We remind Derycom that it is a violation of section 1.17 of the Commission's rules⁸⁶ for any person to make any false or misleading written or oral statement of fact to the Commission. Specifically, no person shall:

- (1) In any written or oral statement of fact, intentionally provide material factual information that is incorrect or intentionally omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading; and
- (2) In any written statement of fact, provide material factual information that is incorrect or omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading without a reasonable basis for believing that any such material factual statement is correct and not misleading.

19. Further, the knowing and willful making of any false statement, or the concealment of any material fact, in reply to this Citation is punishable by fine or imprisonment.⁸⁷ Violations of section 1.17 of the Commission's rules or the criminal statute referenced above may result in further legal action, including monetary forfeitures pursuant to section 503 of the Act.

20. Finally, consistent with the Privacy Act of 1974,⁸⁸ Commission staff will use all relevant material information before it, including information disclosed in interviews or written statements, to determine what, if any, enforcement action is required to ensure Derycom's compliance with the Act and the Commission's rules.⁸⁹

⁸⁶ 47 CFR § 1.17.

⁸⁷ 18 U.S.C. § 1001.

⁸⁸ 5 U.S.C. § 552a(e)(3).

⁸⁹ Any entity that is a "Small Business Concern" as defined in the Small Business Act (Pub. L. 85-536, as amended) may avail itself of rights set forth in that Act, including rights set forth in 15 U.S.C. § 657, "Oversight of Regulatory Enforcement," in addition to other rights set forth herein.

V. FUTURE VIOLATIONS

21. If, after receipt of this Citation, Derycom subsequently engages in any conduct described in this Citation, it may be subject to civil penalties, including but not limited to, substantial monetary forfeitures. The Commission may further adjust the forfeiture reflecting enumerated statutory factors, which include the nature, circumstances, extent, and gravity of the violation, 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.⁹⁰ Further, as discussed above, the Commission may assess forfeitures for both the conduct that led to this Citation and the conduct following its issuance.⁹¹ In addition, future violations may subject Derycom to seizure of equipment through *in rem* forfeiture actions,⁹² as well as criminal sanctions, including imprisonment.⁹³

VI. ORDERING CLAUSES

22. Accordingly, **IT IS ORDERED** that a copy of this Citation shall be sent by first class mail and certified mail, return receipt requested, to Mr. Joe Chew, Derycom Certification Services Inc., Room 1108, Jiayu Building, Hongxing Community, Songgang Subdistrict, Baoan District, Shenzhen, China, and to Mr. Joe Chew, Derycom Certification Services, Inc., 1100 Falcon Avenue, Glencoe, Minnesota 55336.

FEDERAL COMMUNICATIONS COMMISSION

Hunter Deeley
Acting Chief
Enforcement Bureau
Federal Communications Commission

⁹⁰ See 47 U.S.C. § 503(b)(2)(E); 47 CFR § 1.80(b)(10).

⁹¹ See *supra* para. 2 & n.4.

⁹² See 47 U.S.C. § 510.

⁹³ See 47 U.S.C. §§ 401, 501.