



PUBLIC NOTICE

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FCC ENFORCEMENT ADVISORY

WARNING: Unauthorized Radio Broadcasting is Illegal

Persons or Businesses Operating "Pirate" Broadcast Stations Are in Violation of Federal Law and Subject to Enforcement Action

Federal law prohibits operating radio broadcasting equipment in most cases without an FCC license. Thus, perpetrators of pirate radio stations, which by definition do not obtain FCC licenses or comply with Commission rules and requirements, are in violation of Federal law and FCC rules. This prohibition does not discriminate by size of operations, applying equally to the rebellious high school kid operating a radio station from his bedroom as it does to slick and sophisticated high-powered illegal broadcast operations.

What is Prohibited? Section 301 of the Communications Act prohibits the "use or operat[ion of] any apparatus for the transmission of energy or communications or signals by radio" without a license issued by the FCC.¹ Thus, in order to use or operate a radio station, the Communications Act requires that you first obtain a license from the FCC.² If you run a pirate radio station, whether as owner or operator, you could be subject to enforcement action.³ Parties found operating radio stations without FCC authorization

¹ 47 U.S.C. § 301.

² There are certain limited exceptions. For example, the Commission has provided authorization by rule to operators of CB radio, radio control stations, and some domestic ship and aircraft radios. In addition, the Commission has authorized the operation of certain low power radios pursuant to Part 15 of the Commission's Rules. As a result, operators of these radio facilities are not required to have individual licenses. However, these operators are required to operate their stations in a manner consistent with the Commission's operational and technical rules for those services.

³ See *Andrew O. Turner*, Notice of Apparent Liability for Forfeiture, DA 15-1334 (Enf. Bur. Nov. 20, 2015), 2015 WL 7354027 (proposing a \$15,000 penalty for unlicensed operation on 95.9 MHz in Broward County, Florida); *Jose Luis Hernandez*, Notice of Apparent Liability for Forfeiture, 30 FCC Rcd 11673 (Enf. Bur. 2015) (proposing a \$10,000 penalty for unlicensed operation on 95.9 MHz in Passaic, New Jersey); *Ivan Angeles*, Notice of Apparent Liability for Forfeiture, 30 FCC Rcd 10202 (Enf. Bur. 2015) (proposing a \$15,000 penalty for unlicensed operation on 91.9 MHz in Passaic, New Jersey).

could be subject to a variety of enforcement actions, including seizure of equipment, imposition of monetary forfeitures, ineligibility to hold any FCC license, injunctive relief, and criminal penalties.

What is the Harm? Such illegal activity threatens the livelihood and sustainability of existing radio broadcasters and the health and safety of the listening public. Specifically, pirate radio stations can cause interference to other licensed broadcasters and non-broadcast services, not only preventing listeners from hearing the programming on those stations but also potentially preventing listeners from hearing important Emergency Alert System (EAS) warnings aired by those broadcasters.

What Should You Do if You Discover a Possible Pirate Radio Operation? First, make sure the station is actually a pirate station. FCC rules require licensed broadcast stations to identify themselves each hour using their FCC-assigned call signs, as close to the hour as possible. If the station does not identify with a call sign, it may be a pirate operation. If it does identify with a call sign, you can look up the station using the call sign on the FCC's [Consolidated Database System](#).⁴

If you have reason to believe a station is a pirate station, please send as much information as you have to the FCC. To do so, you can visit www.fcc.gov/complaints. Many pirates use false identities or are otherwise difficult to track down, so please provide as much information as possible. We are particularly interested in the location of the broadcast operations and transmitter, frequency, hours of operation, and any other information that would allow us to identify the person(s) behind the potential pirate operation.

Please be advised that pirate radio operators also seek support from landlords or advertisers, including nightclubs, concert promoters and local merchants. Providing support for such illegal activity could not only damage the reputation of such businesses, but could expose them to FCC enforcement or other legal actions.

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 contact the FCC at 1-888-CALL-FCC (1-888-225-5322) or 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

⁴ As noted above, however, some low-power unlicensed broadcasting is permitted, and those operators are not required to use a call sign.