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For Immediate Release

**FCC REACHES \$900,000 SETTLEMENT WITH SWARM FOR
UNAUTHORIZED SATELLITE LAUNCH**

Company Agrees to Substantial Penalty and Strict Compliance Plan

WASHINGTON, December 20, 2018—The Federal Communications Commission today announced it has settled an investigation into Swarm Technologies’ unauthorized launch and operation of small satellites. The company agreed to a settlement which included a \$900,000 penalty, an extended period of FCC oversight, and a requirement of pre-launch notices to the Commission, among other stipulations.

“We will aggressively enforce the FCC’s requirements that companies seek FCC authorization prior to deploying and operating communications satellites and earth stations,” said Rosemary Harold, Chief of the FCC’s Enforcement Bureau. “These important obligations protect other operators against radio interference and collisions, making space a safer place to operate.”

In April 2017, Swarm applied for an experimental radio service license to deploy and operate two earth stations and four small satellites, called SpaceBEEs or BEEs (Basic Electronic Elements). The FCC denied Swarm’s application in December 2017 over concerns about the ability to track the satellites. Swarm nevertheless launched the satellites on January 12, 2018.

The FCC began its investigation in March 2018 following reports of the unauthorized launch. The investigation found that Swarm had launched the four BEEs using an unaffiliated launch company in India and had unlawfully transmitted signals between earth stations in Georgia and the satellites for over a week. In addition, during the course of its investigation, the FCC discovered that Swarm had also performed unauthorized weather balloon-to-ground station tests and other unauthorized equipment tests prior to the small satellites launch. All these activities require FCC authorization and the company had not received such authorization before the activities occurred.

Today’s settlement represents a final resolution of the FCC’s investigation. It requires Swarm to pay a penalty \$900,000 to the U.S. Treasury. In addition, the company must submit pre-launch reports to the FCC for the next three years. These reports are required within five days of signing an agreement to launch and at least 45 days before the planned launch. In addition, Swarm has committed to a strict compliance plan to prevent future violations of FCC rules.

Going forward, the FCC’s Office of Engineering and Technology and the International Bureau will continue to consider Swarm applications on a case-by-case basis. Since the start of the FCC investigation, Swarm has not engaged in any unauthorized deployment or operation of satellites or other radio frequency devices and has sought the appropriate licenses for future satellite deployment and operation.

In addition to starting the investigation, the FCC issued an enforcement advisory in April 2018 in response to these actions. The advisory reminded satellite operators that they must obtain FCC authorization for space station and earth station operations. The advisory cautioned satellite operators and launch companies against proceeding with launch arrangements following a license denial or prior to receiving an FCC authorization. The Enforcement Advisory is available at: <https://go.usa.gov/xPFwB>.

The Swarm settlement, formally known as a Consent Decree, is available at: <https://docs.fcc.gov/public/attachments/FCC-18-184A1.pdf>.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).