



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC

Mike O'Rielly  
Commissioner

March 10, 2020

The Honorable John N. Kennedy  
Chairman  
Subcommittee on Financial Services and General Government  
U.S. Senate  
Washington, DC 20510

Dear Chairman Kennedy:

Thank you for your service to the American people, and especially to your Louisiana constituents. As always, but particularly given the challenging times facing our nation, it is all the more important to carefully consider the operations of each federal department and agency. Accordingly, the Subcommittee will today be reviewing the budget request of the Federal Communications Commission (FCC or the Commission). As part of this effort, I would humbly encourage the Subcommittee to give all due consideration of the pressing need to combat pirate radio operations and the significant work it will take to implement the recently enacted Preventing Illegal Radio Abuse Through Enforcement Act (PIRATE Act).

Pirate radio is an extremely harmful practice that involves unauthorized individuals illegally broadcasting radio programming over the air, using channels that are either already occupied or located nearby existing licensed channels within the radio band. The interference caused by these "stations" is detrimental to licensed radio broadcasters seeking to reach their listeners. Having proliferated in certain parts of the country, especially in the key markets of Boston, New York/Northern New Jersey, and Miami, pirate operators threaten the livelihood of legitimate stations, suppressing audience reach and advertising revenues. Most importantly, pirates—and those who facilitate their operations—prevent listeners from receiving important life-saving and legally-required emergency alert messages. Further, they operate impervious to the regulatory fees consistent with the Appropriations process and to consumer protection requirements applicable to lawful broadcasters.

With passage of the PIRATE Act, Congress has demanded that increased attention be paid to radio pirates and that enforcement action by the Commission against pirate radio be as aggressive as possible. This mandate was a welcome charge, as the Commission sought more tools to combat pirate radio, which has affected markets both large and small. In fact, the issue was raised in conversations I had with local broadcasters during my visit a few years ago to the Louisiana Broadcasters and Mississippi Broadcasters Annual Joint Convention in New Orleans.

The Commission has its work cut out to meet expectations under the PIRATE Act in order to attack the estimated 300-plus pirate operators nationwide. Thankfully, by substantially increasing allowable penalties and requiring annual sweeps, among other changes in law, the Act provides us with potential tools at our disposal to address this issue. Whether it is through new funding or a

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reallocation of existing resources, I respectfully request that the Subcommittee appropriately prioritize the harm caused by pirate radio, and the increased effort expected of the Commission to combat it.

Thank you for your consideration.

Sincerely,



Michael O'Rielly