**BY FIRST CLASS MAIL, CERTIFIED MAIL AND UPS**

Charles Block

Long Beach, CA

Case Number: EB-FIELDWR-21-00032611

**NOTIFICATION OF HARMFUL INTERFERENCE AND UNLICENSED OPERATION**

On August 8, 2021, an Agent from the Los Angeles Office of the Federal Communications Commission’s (FCC or Commission) Enforcement Bureau (Bureau) investigated a complaint from the United States Coast Guard that a signal was interfering with 156.8 MHz (VHF Marine Channel 16). The Agent investigated and located the signal to your residence in Long Beach, California.[[1]](#footnote-2) The interfering signal was emanating from an Icom M11 VHF marine transceiver that was operating defectively, as it was continuously transmitting on VHF Marine Channel 16. The Icom M11 VHF Transceiver with FCC ID AF19XU IC-M11, was subsequently turned off and the interference ceased.

Operation on 156.8 MHz is reserved for the marine radio service and is for ship to ship or ship to shore (coast station) operation.[[2]](#footnote-3) Specifically, VHF Marine Channel 16 is designated as the international radiotelephone distress, urgency, safety, call and reply frequency for ships and coast stations.[[3]](#footnote-4) Section 80.89(a) of the Commission’s rules states that “[s]tations must not engage in superfluous radiocommunication.”[[4]](#footnote-5) At the time of the investigation, the Agent determined that the Icom VHF marine radio transceiver at your residence was continuously transmitting an unmodulated signal with no authorized purpose for the transmissions.

In addition, pursuant to section 301 of the Communications Act of 1934, as amended (Act),[[5]](#footnote-6) and the Commission’s part 80 rules, operators of coast stations (i.e., stations that operate in the maritime radio services from sites on land) must hold a Commission license.[[6]](#footnote-7) You have no valid coast station license to operate a marine radio from your residence. Thus, this station was operating in violation of section 301 of the Act.[[7]](#footnote-8)

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment.[[8]](#footnote-9)

Failure to take steps to resolve this interference may result in additional sanctions and/or forfeiture actions.

You have ten (10) days from the date of this warning to respond with a report detailing what steps you have taken to ensure that this unauthorized operation on 156.8 MHz from your residence has ceased and will not occur again. Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974, we are informing you that the Commission’s staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC’s rules.[[9]](#footnote-10) This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley

Regional Director

Region Three

Enforcement Bureau

Attachments:

 Excerpts from the Communications Act of 1934, As Amended

 Enforcement Bureau, "Inspection Fact Sheet", March 2005

1. 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. [↑](#footnote-ref-2)
2. 47 CFR §§ 80.1 *et seq.* [↑](#footnote-ref-3)
3. 47 CFR § 80.369(e)(3). [↑](#footnote-ref-4)
4. 47 CFR § 80.89(a). [↑](#footnote-ref-5)
5. 47 U.S.C. § 301. [↑](#footnote-ref-6)
6. 47 CFR §§ 80.5 (definitions), 80.13(a) (license requirement); *see also* 47 CFR §§ 80.543 (scope of permissible use of public coast stations); 80.507 (scope of permissible use of private coast stations). [↑](#footnote-ref-7)
7. 47 U.S.C. § 301. [↑](#footnote-ref-8)
8. *See* 47 U.S.C. §§ 401, 501, 503 and 510. [↑](#footnote-ref-9)
9. 5 U.S.C. § 552a(e)(3). [↑](#footnote-ref-10)