

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

In the Matter of	)	
	)	
Jason M. Frawley	)	File No.: EB-FIELDWR-21-00032537
	)	NAL/Acct. No.: 202232030001
Licensee of Amateur Radio Station WA7CQ,	)	FRN: 0002984920
Lewiston, Idaho	)	
	)	

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE**

**Adopted: June 8, 2022**

**Released: June 8, 2022**

By the Commission: Chairwoman Rosenworcel issuing a statement

**I. INTRODUCTION**

1. We propose a penalty of \$34,000 against Jason M. Frawley (Frawley) for apparently willfully, repeatedly, and intentionally interfering with the radio communications of the United States Forest Service (U.S. Forest Service) while it and the Idaho Department of Lands were attempting to direct the flights of the fire suppression aircraft working the “Johnson fire,” a 1000-acre wildfire located on national forest land outside of Elk River, Idaho. On July 17, 2021, using his amateur hand-held radio, Frawley transmitted five (5) times, and on July 18, 2021, Frawley transmitted three (3) times on frequencies allocated and authorized for government use, apparently causing harmful interference with his apparently unlawful transmissions.

2. The unauthorized operation by a Commission licensee to interfere with authorized government communications can – and in this case did – create public safety and other risks by causing harmful interference to these vital communications. Accordingly, Commission action in this area is essential.

3. In this Notice of Apparent Liability for Forfeiture (NAL), we find that Frawley, licensee of Amateur Radio Station WA7CQ<sup>1</sup> in Lewiston, Idaho, apparently willfully and repeatedly violated sections 301 and 333 of the Communications Act of 1934, as amended (Act), and sections 1.903(a) and 97.101(d) of the Commission’s rules, by operating on government frequencies without a license and causing intentional harmful interference to licensed radio operations.<sup>2</sup> We conclude Jason M. Frawley is apparently liable for a forfeiture in the amount of thirty four thousand dollars (\$34,000).

**II. BACKGROUND**

**A. Legal Framework**

4. Section 301 of the Act states that no person shall use or operate any apparatus for the transmission of energy or communications or signals by radio within the United States without a license granted by the Commission.<sup>3</sup> Section 1.903(a) of the Commission’s rules requires that stations in the

<sup>1</sup> See [ULS License - Vanity License - WA7CQ - FRAWLEY, JASON M \(fcc.gov\)](#). Mr. Frawley is also the owner/operator of Leader Communications LLC, licensee of WQVJ657, WQWK384, WRAJ635, WRAK230, WRAK232, WRAK233, WRBV478, and WRCW985 in the Microwave Industrial/Business Pool and WREW548 in the Industrial/Business Pool.

<sup>2</sup> 47 U.S.C. §§ 301 and 333; 47 CFR §§ 1.903(a) and 97.101(d).

<sup>3</sup> 47 U.S.C. § 301.

Wireless Radio Services<sup>4</sup> must be used and operated only in accordance with the rules applicable to their particular service and with a valid authorization granted by the Commission.<sup>5</sup>

5. Section 333 of the Act states that “[n]o person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under the Act or operated by the United States government.”<sup>6</sup> The legislative history for section 333 of the Act identifies willful and malicious interference as “intentional jamming, deliberate transmission on top of the transmissions of authorized users already using specific frequencies in order to obstruct their communications, repeated interruptions, and the use and transmission of whistles, tapes, records, or other types of noisemaking devices to interfere with the communications or radio signals of other stations.”<sup>7</sup> Section 97.101(d) of the Commission’s rules states that “[n]o amateur operator shall willfully or maliciously interfere with or cause interference to any radio communications or signal.”<sup>8</sup>

### **B. Factual Background**

6. On July 22, 2021, the Commission received a complaint from the U.S. Forest Service alleging that an individual had been transmitting on government radio frequencies 148-174 MHz without authorization, and that the individual was causing radio frequency interference to the U.S. Forest Service firefighter’s fire suppression aircraft in Coeur d’Alene, Idaho. Specifically, the complaint alleges that the individual was transmitting on 151.145 MHz, a frequency that has been allocated by the Commission as part of the Public Safety Pool and was being used jointly by the U.S. Forest Service and the Idaho Department of Lands to coordinate firefighting activities.<sup>9</sup> The complaint alleged that on July 17<sup>th</sup> and 18<sup>th</sup>, firefighter personnel working on the “Johnson” fire, a 1000-acre fire located on national forest land five miles outside of Elk River, Idaho,<sup>10</sup> began receiving unauthorized radio transmissions from an individual identifying as “comm tech.” This individual interrupted fire suppression activities and began advising the firefighters and aircraft personnel of hazards at a radio repeater site located at Elk Butte. When queried, “comm tech” identified his location at the Elk River airstrip.<sup>11</sup> On the afternoon of July 18<sup>th</sup>, the Johnson Creek fire operations section chief left the fire to drive to the Elk River airstrip where he located an individual holding a radio. This individual, subsequently identified as Frawley, admitted to transmitting on government frequencies and doing so as a “comm tech.” The fire operations section chief instructed Frawley to cease operations on the frequency and returned to his post.<sup>12</sup>

7. On July 22, 2021, an agent (Agent) from U.S. Forest Service Law Enforcement and Investigations Branch drove to Frawley’s residence to interview him regarding the incident. The interview took place at Frawley’s residence and was recorded on the Agent’s body camera. During the

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<sup>4</sup> The term “Wireless Radio Services” is defined as including all radio services authorized under Part 97 of the Commission’s rules.

<sup>5</sup> 47 CFR § 1.903(a).

<sup>6</sup> 47 U.S.C. § 333.

<sup>7</sup> H.R. Rep. No. 101-316, at 8 (1989).

<sup>8</sup> 47 CFR § 97.101(d).

<sup>9</sup> 47 CFR § 90.20(c)(3).

<sup>10</sup> See *Leland Complex Update: Containment of Sand Mountain Fire Jumps Significantly to 82%* (Aug. 3, 2021), [Leland Complex Update: Containment of Sand Mountain Fire Jumps Significantly to 82% | Idaho | bigcountrynewsconnection.com](https://www.bigcountrynewsconnection.com).

<sup>11</sup> See Complaint from, Special Agent, Northern Region, Law Enforcement and Investigations Branch, U.S. Forest Service to Senior Agent, Portland Office, Region Three, Office of the Field Director, Enforcement Bureau, Federal Communications Commission (July 22, 2021) (on file in EB-FIELDNER-21-00032537).

<sup>12</sup> See Witness Statement from, Mtn. Zone Battalion Chief-2, Assistant Fire Management Office, U.S. Forest Service to Senior Agent, Portland Office, Region Three, Office of the Field Director, Enforcement Bureau, Federal Communications Commission (Aug. 6, 2021) (on file in EB-FIELDNER-21-00032537).

course of the interview, Frawley admitted that he had been operating on a government frequency and acknowledged that he was not authorized to be operating on that frequency.<sup>13</sup> The Agent then ordered Frawley to cease and desist all transmissions on U.S. Forest Service frequencies and departed. On October 15, 2021, in response to the U.S. Forest Service complaint, the Commission's Enforcement Bureau (Bureau) issued a Letter of Inquiry (LOI) to Frawley advising him of the nature of the allegations against him and directing him to address the complaint.<sup>14</sup> On October 15, 2021, Frawley responded to the LOI. In the response, Frawley admitted to operating on the U.S. Forest Service and Idaho Department of Lands frequencies, yet argued that he was not trying to cause interference but instead was transmitting to provide information to the fire fighters.<sup>15</sup> Additionally, Frawley suggested that a third party may also have been transmitting and may have continued to transmit after Frawley spoke with the fire operations section chief and ceased his own operations on the frequency.<sup>16</sup>

### III. DISCUSSION

8. We find that Frawley, by his own admission, apparently willfully and repeatedly violated sections 301 and 333 of the Act and sections 1.903(a) and 97.101(d) of the Commission's rules.<sup>17</sup> First, Frawley apparently willfully and repeatedly violated section 301 of the Act and section 1.903(a) of the Commission's rules when, on July 17 and 18, 2021, he made eight (8) separate radio transmissions on a frequency for which he did not have a license. Rather, the State of Idaho and the U.S. Forest Service have authorizations to transmit on this frequency.<sup>18</sup> Frawley's statement on camera to the Agent from U.S. Forest Service Law Enforcement and Investigations Branch and his written response to the LOI both contain Frawley's admissions that he intentionally transmitted on frequencies licensed to the U.S. Forest Service and the State of Idaho and in an effort to communicate with the firefighters and aircraft personnel.<sup>19</sup>

9. Second, Frawley apparently willfully and repeatedly violated section 333 of the Act and section 97.101(d) of the Commission's rules when he caused harmful interference to the U.S. Forest Service by making repeated interruptions to the U.S. Forest Service communications.<sup>20</sup> In the context of harmful interference to public safety communications, the Commission has held that unauthorized

<sup>13</sup> See Incident Narrative, Law Enforcement and Investigations Branch, U.S. Forest Service to Senior Agent, Portland Office, Region Three, Office of the Field Director, Enforcement Bureau, Federal Communications Commission (July 26, 2021) (on file in EB-FIELDNER-21-00032537) (July 26 Incident Narrative).

<sup>14</sup> See Letter of Inquiry from Laura Smith, Esq., Special Counsel, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission to Jason M. Frawley (Oct. 15, 2021) (on file in EB-FIELDNER-21-00032537).

<sup>15</sup> See Letter from Jason M. Frawley to Laura Smith, Esq., Special Counsel, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission (October 15, 2021) (on file in EB-FIELDNER-21-00032537) (“[r]ecap of what I did talk about on the radio when I did . . .”) (“[a]t no time was I trying to disturb any other communications or air traffic. I was honestly just giving them information I had since I have been working on the butte since the early 90’s . . .”) (Frawley Response).

<sup>16</sup> *Id.* at 1 (“I was talked to . . . about a complaint, someone was using the A/G freqs after they were asked NOT to several times. I assure you that was not me . . .”) (“My guess is someone else was on air. . .”).

<sup>17</sup> 47 U.S.C. §§ 301 and 333; 47 CFR §§ 1.903(a) and 97.101(d).

<sup>18</sup> The State of Idaho has Commission licenses for stations KNJD642 ([ULS License - Public Safety Pool, Conventional License - KNJD642 - State of Idaho \(fcc.gov\)](#)), KOK546 ([ULS License - Public Safety Pool, Conventional License - KOK546 - State of Idaho \(fcc.gov\)](#)), and WNL561 ([ULS License - Public Safety Pool, Conventional License - WNL561 - State of Idaho \(fcc.gov\)](#)) on frequency 151.145 MHz. The National Telecommunications and Information Administration (NTIA) has issued three authorizations to the U.S. Forest Service for use of frequency 151.145 MHz: A001271, A041200, and A183000.

<sup>19</sup> See July 26 Incident Narrative (“he admitted to transmitting those transmissions . . .”); see also Frawley Response at 1 (“[r]ecap of what I did talk about on the radio when I did . . .”).

<sup>20</sup> 47 U.S.C. § 333; 47 CFR § 97.101(d).

transmissions on frequencies licensed to public safety entities using those frequencies to respond to emergencies constitutes a violation of section 333 of the Act.<sup>21</sup> Here, Frawley admitted to having made multiple unauthorized transmissions on frequencies licensed to the U.S. Forest Service and to the State of Idaho while these agencies were coordinating firefighting activities. These transmissions impeded U.S. Forest Service personnel from conducting legitimate communications and resulted in diversion of personnel that would have otherwise assisted with coordinating and/or firefighting activities.<sup>22</sup> Frawley's inference that an unrelated third party may also have been transmitting on the frequencies in question is irrelevant to our analysis herein. Frawley's admitted unauthorized transmissions on frequencies for which he did not have a license had the potential to cause substantial harm to life and property.

10. Based on the evidence before us, we find that Frawley apparently willfully and repeatedly violated sections 301 and 333 of the Act and sections 1.903(a) and 97.101(d) of the Commission's rules by operating without a license on government frequencies and intentionally interfering with U.S. Forest Service communications.<sup>23</sup>

#### A. Proposed Forfeiture

11. Section 503(b) of the Act authorizes the Commission to impose a forfeiture against any entity that "willfully or repeatedly fail[s] to comply with any of the provisions of [the Act] or of any rule, regulation, or order issued by the Commission."<sup>24</sup> Here, section 503(b)(2)(D) of the Act authorizes us to assess a forfeiture against Frawley of up to \$22,021 for each violation.<sup>25</sup> In exercising our forfeiture authority, we must consider 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 such other matters as justice may require."<sup>26</sup> In addition, the Commission has established forfeiture guidelines that establish base penalties for certain violations and identify criteria that we consider when determining the appropriate penalty in any given case.<sup>27</sup> Under these guidelines, we may adjust a forfeiture upward for violations that are egregious, intentional, or repeated, or that cause substantial harm or generate substantial economic gain for the violator.<sup>28</sup>

12. Section 1.80 of the Commission's rules sets a base forfeiture of \$10,000 for operation of a station without a license and \$7,000 for causing interference to authorized stations for each violation or each day of a continuing violation.<sup>29</sup> Therefore, we propose a total base forfeiture of \$34,000 (consisting

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<sup>21</sup> See *Jay Peralta, Corona, New York*, Notice of Apparent Liability for Forfeiture, 32 FCC Rcd 3246, 3249 (2017), *forfeiture ordered*, Forfeiture Order, 32 FCC Rcd 7993 (2017) (discussing how unauthorized transmissions on public safety frequencies disrupted dispatcher-police communications).

<sup>22</sup> See July 26 Incident Narrative ("[a] fire operations supervisor . . . left the fire to drive to the hanger where he met a man holding a radio next to a banner that read 'Leader Communications'" and "[the man,] instructed FRAWLEY to cease his unauthorized radio transmissions and returned to his post on the fire.").

<sup>23</sup> 47 U.S.C. §§ 301 and 333; 47 CFR §§ 1.903(a) and 97.101(d).

<sup>24</sup> 47 U.S.C. § 503(b).

<sup>25</sup> See 47 U.S.C. § 503(b)(2)(D); 47 CFR § 1.80(b)(7), (9); see also *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 21-1631 (EB Dec. 22, 2021); *Annual Adjustment of Civil Monetary Penalties to Reflect Inflation*, 87 Fed. Reg. 396 (Jan. 5, 2022) (adjusting amounts for inflation).

<sup>26</sup> 47 U.S.C. § 503(b)(2)(E).

<sup>27</sup> 47 CFR § 1.80(b)(10), tbl. 3 (articulating criteria for upward adjustments (egregious misconduct, ability to pay/relative disincentive, intentional violation, substantial harm, prior violations of any FCC requirements, substantial economic gain, and repeated or continuous violation) and downward adjustments (minor violation, good faith or voluntary disclosure, history of overall compliance, and inability to pay)).

<sup>28</sup> *Id.*

<sup>29</sup> 47 CFR § 1.80.

of a \$10,000 forfeiture for each of the two days of apparent unlicensed operations<sup>30</sup> and a \$7,000 forfeiture for each of the two days of harmful interference),<sup>31</sup> for which Frawley is apparently liable. We caution Frawley that future violations of this kind may result in significantly higher forfeitures or revocation of his amateur license. In applying the applicable statutory factors, we also consider whether there is any basis for a downward adjustment of the proposed forfeiture. Here, we find none.<sup>32</sup>

#### IV. CONCLUSION

13. We have determined that Frawley apparently willfully and repeatedly violated sections 301 and 333 of the Act and sections 1.903(a) and 97.101(d) of the Commission's rules.<sup>33</sup> As such, Frawley is apparently liable for a total forfeiture of \$34,000.

#### V. ORDERING CLAUSES

14. Accordingly, **IT IS ORDERED** that, pursuant to section 503(b) of the Act<sup>34</sup> and section 1.80 of the Commission's rules,<sup>35</sup> Jason M. Frawley is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the amount of thirty four thousand dollars (\$34,000) for willful and repeated violations of sections 301 and 333 of the Act and sections 1.903(a) and 97.101(d) of the Commission's rules.<sup>36</sup>

15. **IT IS FURTHER ORDERED** that, pursuant to section 1.80 of the Commission's rules,<sup>37</sup> within thirty (30) calendar days of the release date of this Notice of Apparent Liability for Forfeiture, Jason M. Frawley **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture consistent with paragraph 18, below.

16. Jason M. Frawley shall send electronic notification of payment to Laura Smith, Special Counsel, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission, at [Laura.Smith@fcc.gov](mailto:Laura.Smith@fcc.gov) on the date said payment is made. Payment of the forfeiture must be made by credit card, ACH (Automated Clearing House) debit from a bank account using the Commission's Registration System (the Commission's FRN Management and Financial system)<sup>38</sup> or by wire transfer.

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<sup>30</sup> See *Vearl Pennington, Morehead, Kentucky, & Michael Williamson, Morehead, Kentucky*, Notice of Apparent Liability for Forfeiture, 32 FCC Rcd 4206 (2017), *forfeiture ordered*, Forfeiture Order, 34 FCC Rcd. 770 (2019)) (assessing a base forfeiture in the amount of \$10,000 per day for operating an unlicensed television station for 22 days).

<sup>31</sup> See *Jay Peralta, Corona, New York*, Notice of Apparent Liability for Forfeiture, 32 FCC Rcd 3246, 3251 (2017), *forfeiture ordered*, Forfeiture Order, 32 FCC Rcd 7993 (2017) (assessing a forfeiture in the amount of \$21,000 per day, which includes the base forfeiture of \$7000 per day, plus the upward adjustment for egregious conduct, for causing deliberate interference to public safety frequencies on 9 different occasions); see also *William F. Crowell*, Notice of Apparent Liability for Forfeiture, 30 FCC Rcd 14,267, 14,271 (Enf. Bur., Western Region, San Francisco Office 2015), *forfeiture ordered*, Forfeiture Order, 31 FCC Rcd 8700 (EB 2016) (assessing a forfeiture in the amount of \$7000 per day for 2 days for causing intentional interference to amateur radio operators).

<sup>32</sup> 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.

<sup>33</sup> 47 U.S.C. §§ 301 and 333; 47 CFR §§ 1.903(a) and 97.101(d).

<sup>34</sup> 47 U.S.C. § 503(b).

<sup>35</sup> 47 CFR § 1.80.

<sup>36</sup> 47 U.S.C. §§ 301, 333; 47 CFR §§ 1.903(a), 97.101(d).

<sup>37</sup> 47 CFR § 1.80.

<sup>38</sup> Payments made using CORES do not require the submission of an FCC Form 159.

The Commission no longer accepts forfeiture payments by check or money order. Below are instructions that payors should follow based on the form of payment selected:<sup>39</sup>

- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. A completed Form 159 must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to [RROGWireFaxes@fcc.gov](mailto:RROGWireFaxes@fcc.gov) on the same business day the wire transfer is initiated.<sup>40</sup> Failure to provide all required information in Form 159 may result in payment not being recognized as having been received. When completing FCC Form 159, enter the Account Number in block number 23A (call sign/other ID), enter the letters “FORF” in block number 24A (payment type code), and enter in block number 11 the FRN(s) captioned above (Payor FRN).<sup>41</sup> For additional detail and wire transfer instructions, go to <https://www.fcc.gov/licensing-databases/fees/wire-transfer>.
- Payment by credit card must be made by using the Commission’s Registration System (CORES) at <https://apps.fcc.gov/cores/userLogin.do>. To pay by credit card, log-in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select “Manage Existing FRNs | FRN Financial | Bills & Fees” from the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). After selecting the bill for payment, choose the “Pay by Credit Card” option. Please note that there is a \$24,999.99 limit on credit card transactions.
- Payment by ACH must be made by using the Commission’s Registration System (CORES) at <https://apps.fcc.gov/cores/paymentFrmLogin.do>. To pay by ACH, log in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select “Manage Existing FRNs | FRN Financial | Bills & Fees” on the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). Finally, choose the “Pay from Bank Account” option. Please contact the appropriate financial institution to confirm the correct Routing Number and the correct account number from which payment will be made and verify with that financial institution that the designated account has authorization to accept ACH transactions.

17. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer—Financial Operations, Federal Communications Commission, 45 L Street, N.E., Washington, D.C. 20554.<sup>42</sup> If you have questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e mail, [ARINQUIRIES@fcc.gov](mailto:ARINQUIRIES@fcc.gov).

18. The written statement seeking reduction or cancellation of the proposed forfeiture, if any, must include a detailed factual statement supported by appropriate documentation and affidavits pursuant

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<sup>39</sup> For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6), or by e-mail at [ARINQUIRIES@fcc.gov](mailto:ARINQUIRIES@fcc.gov).

<sup>40</sup> FCC Form 159 is accessible at <https://www.fcc.gov/licensing-databases/fees/fcc-remittance-advice-form-159>.

<sup>41</sup> Instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

<sup>42</sup> See 47 CFR § 1.1914.

to sections 1.16 and 1.80(f)(3) of the Commission's rules.<sup>43</sup> Mail the written statement to Office of the Secretary, Federal Communications Commission, 45 L Street, N.E., Washington, DC 20554, ATTN: Enforcement Bureau - Office of the Field Director and include the NAL/Acct. No. referenced in the caption. The statement must also be e-mailed to [field@fcc.gov](mailto:field@fcc.gov).

19. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits the following documentation: (1) federal tax returns for the past three years; (2) financial statements for the past three years prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status.<sup>44</sup> Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation. Inability to pay, however, is only one of several factors that the Commission will consider in determining the appropriate forfeiture, and we retain the discretion to decline reducing or canceling the forfeiture if other prongs of 47 U.S.C. § 503(b)(2)(E) support that result.<sup>45</sup>

20. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by both Certified Mail, Return Receipt Requested, and first-class mail to Jason M. Frawley at his address of record.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>43</sup> 47 CFR §§ 1.16, 1.80(f)(3).

<sup>44</sup> 47 U.S.C. § 503(b)(2)(E).

<sup>45</sup> See, e.g., *Ocean Adrian Hinson, Surry County, North Carolina*, Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n.21 (2019); *Vearl Pennington and Michael Williamson*, Forfeiture Order, 34 FCC Rcd 770, paras. 18–21 (2019); *Fabrice Polynice, Harold Sido and Veronise Sido, North Miami, Florida*, Forfeiture Order, 33 FCC Rcd 6852, 6860–62, paras. 21–25 (2018); *Adrian Abramovich, Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4678-79, paras. 44-45 (2018); *Purple Communications, Inc.*, Forfeiture Order, 30 FCC Rcd 14892, 14903-904, paras. 32-33 (2015); *TV Max, Inc., et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8661, para. 25 (2014).

**STATEMENT OF  
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *In the Matter of Jason M. Frawley, Licensee of Amateur Radio Station WA7CQ, Lewiston, Idaho,*  
Notice of Apparent Liability for Forfeiture, File No. EB-FIELDWR-21-00032537

If you drive six hours north of Boise, you'll reach Elk River, Idaho. It's the quintessential small town. On Main Street, you'll find the city hall and library and if you head around the corner, you'll see the Fire Department.

Fires are all too common in places like this in the Northwest. Back in July 2021 a wildfire ravaged more than 1,000 acres just outside of Elk River. It was an all-hands effort to contain these flames. The town had help from the United States Forest Service and the Idaho Department of Lands. To keep the community safe, these authorities worked together to address the burning acreage and coordinate with aircraft in the skies above. To do this, they relied on radio communications. In other words, they sought to use public airwaves to keep the public safe. But their efforts were thwarted by an amateur radio operator who was unlawfully transmitting on frequencies dedicated to public safety.

You can't interfere with public safety communications. Full stop. So today we propose the largest fine of its type for this interference that put fire suppression and public safety itself at risk.

Thank you to the Enforcement Bureau staff responsible for this enforcement action, including Sharon Bertelsen, Michael Carowitz, Loyaan Egal, Jeremy Marcus, Janet Moran, Elizabeth Mumaw, Axel Rodriguez, Laura Smith, Ashley Tyson, and the staff from Region Three and the Portland Field Office; as well as Thomas Derenge, Charles Mathias, Roger Noel, Jessica Quinley, and Josh Smith from the Wireless Telecommunications Bureau; and William Dever, Douglas Klein, Brendan McTaggart, Linda Oliver, William Richardson, Anjali Singh, and Elliot Tarloff from the Office of General Counsel.