

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

In the Matter of
Wilfrid Salomon
Lauderdale Lakes, Florida
File No.: EB-FIELDSCR-23-00034827
NAL/Acct. No.: 202432020005
FRN: 0034791301

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: January 25, 2024

Released: January 26, 2024

By the Commission: Chairwoman Rosenworcel issuing a statement.

I. INTRODUCTION

1. In this Notice of Apparent Liability for Forfeiture (NAL), we propose a penalty of \$358,665 against Wilfrid Salomon (Salomon) for operating an unauthorized radio station on 87.9 MHz in Lauderdale Lakes, Florida, by which Salomon apparently willfully and knowingly did or caused pirate radio broadcasting during the period from February 5, 2023 to March 5, 2023, resulting in three days of apparent violations. Salomon has engaged in the longstanding illicit operation of an unauthorized radio station known as "Radio Ideal." Operating an unauthorized, or pirate, radio station is illegal under the Communications Act of 1934, as amended (Communications Act or Act)1 and undermines the primary mission of the Federal Communications Commission (FCC or Commission) to manage radio spectrum. Such illegal operations can interfere with licensed communications, including authorized broadcasts and communications by public safety entities. Moreover, such illegal operations pose a danger to the public because they interfere with licensed stations that inform their listeners of important public safety messages, including Emergency Alert System transmissions that provide vital information regarding weather events and other dangers to the public.2 Accordingly, enforcement action here is essential.

II. BACKGROUND

A. Legal Framework

2. On January 24, 2020, the Preventing Illegal Radio Abuse Through Enforcement Act (PIRATE Act) became law and was subsequently codified as section 511 of the Communications Act.3 Section 511 states that any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than \$2,000,000 and not more than \$100,000 for each day during which such offense occurs.4 Both of these figures are subject to annual

1 47 U.S.C. § 511.

2 See Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System, Report and Order, PS Docket No. 15-94, FCC 22-75, para. 3 (rel. Sept. 30, 2022).

3 Preventing Illegal Radio Abuse Through Enforcement Act, Pub. L. No. 116-109, 134 Stat. 3 (2020) (codified at 47 U.S.C. § 511).

4 47 U.S.C. § 511(a)-(b). Prior to the passage of the PIRATE Act, the maximum monetary penalty for pirate radio transmissions was \$151,005. See 47 CFR § 1.80(b)(9)(ii) (2019); see also Acerome Jean Charles, Notice of Apparent Liability for Forfeiture, 34 FCC Rcd 12744 (2019) (proposing a penalty of \$151,005), consent decree

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inflation adjustments.⁵ Section 511 defines pirate radio broadcasting as “the transmission of communications on spectrum frequencies between 535 and 1705 kilohertz, inclusive, or 87.7 and 108 megahertz, inclusive, without a license issued by the Commission, but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations.”⁶ Part 15 of the Commission’s rules, among other requirements, states that unlicensed operators in the FM band must not transmit over a certain low-power limit.⁷

B. Factual Background

1. Pre-PIRATE Act Investigation

3. Salomon has been directly involved in the operation of a pirate radio station (Station) on frequency 107.1 MHz and later on 87.9 MHz in Broward County, Florida, for years. The Station is known as “Radio Ideal,”⁸ and Enforcement Bureau (Bureau) field agents (Agents) have confirmed that the Station has regularly identified itself on the air as Radio Ideal since at least 2017.

4. On July 11 and July 18, 2017, Agents from the Bureau’s Miami Field Office (Miami Office) monitored 107.1 MHz in Broward County, and, using direction-finding techniques, traced the source of radio transmissions to an FM transmitter antenna on the roof of a two-story commercial building located at 2700 West Oakland Park Boulevard in Oakland Park, Florida (Oakland Park Boulevard Site). The Agents, on each day, took field strength measurements of the Station’s signal and determined that the transmissions exceeded the limits for operation under part 15 of the Commission’s rules.⁹ The Agents listened to and recorded the audio programming on 107.1 MHz, and heard the Station identify as Radio Ideal.¹⁰ A review of Commission records revealed no authorization for any FM broadcast station to operate at or near the Oakland Park Boulevard site on any frequency. Agents also took photographs of the rooftop antenna, and the building manager of the Oakland Park Boulevard Site provided Agents with photographs of the interior of a suite directly below the antenna which matched photographs on the Radio Ideal Facebook page of Salomon operating the Station.¹¹

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adopted, Order, 35 FCC Rcd 6878 (2020). In 2020, that maximum limit was increased to \$2,000,000. *See* 47 U.S.C. § 511(a).

⁵ *See* 47 CFR § 1.80(b)(6) (setting the current inflation adjusted statutory maximum for a violation of 47 U.S.C. § 511(a) at \$2,391,097 and 47 U.S.C. § 511(b) at \$119,555); *Amendment of Section 1.80(b) of the Commission’s Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 23-1198, 2023 WL 8889597 (EB Dec. 22, 2023); *see also* Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 89 Fed. Reg. 2148 (Jan. 12, 2024) (setting Jan. 15, 2024 as the effective date for the increases).

⁶ 47 U.S.C. § 511(h).

⁷ 47 CFR § 15.239(b) (stating that the field strength of any emissions in the 88-108 MHz band shall not exceed 250 microvolts per meter at three meters).

⁸ *See* Radio Ideal, www.radioidealfm.com (last visited July 14, 2023).

⁹ Section 15.239 of the Commission’s rules provides that non-licensed broadcasting in the 88-108 MHz band is permitted only if the field strength of the transmission does not exceed 250 microvolts per meter (“µV/m”) at three meters. 47 CFR § 15.239(b). Measurements showed that the field strength of the Station’s signal exceeded the permissible level for a non-licensed part 15 transmitter.

¹⁰ *See* July 11, 2017 and July 18, 2017 recordings of Radio Ideal (on file in EB-FIELDSCR-17-00024576). A domain name search of Radio Ideal’s website indicated that “Wilfrid Salomon” was the registrant. His telephone number listed in the contact information of the website registration is a contact number listed on Radio Ideal’s website (on file in EB-FIELDSCR-17-00024576).

¹¹ E-mail from Building Manager, 2700 W. Oakland Park Blvd., Oakland Park, FL 33311, to Field Agent, Office of the Field Director, FCC Enforcement Bureau (Aug. 18, 2017, 9:36 EDT) (on file in EB-FIELDSCR-23-00034827); Facebook, Radio Ideal, <https://facebook.com/radioideal.plus> (on file in EB-FIELDSCR-17-00024576); Agents later

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5. On August 16, 2017, and October 25, 2017, Agents from the Miami Office again monitored the frequency 107.1 MHz in Broward County, and, using direction finding techniques, traced the source of the signal to 3850 NW 4th Court in Lauderhill, Florida (4th Court Site). Agents took field strength measurements of the Station's signal and determined that the transmissions exceeded the limits for operation under part 15 of the Commission's rules.¹² Agents listened to and recorded the audio programming on 107.1 MHz and heard the Station identify itself as "Radio Ideal."¹³ A review of Commission records revealed no authorization for any FM broadcast station to operate at or near the 4th Court Site on any frequency.¹⁴ On five additional dates, Agents again traced the signal to the 4th Court site but determined that the Station had changed frequency to 87.9 MHz.¹⁵

6. In response to these violations, the Bureau issued two Notices of Unlicensed Operation (NOUOs) to Salomon on August 24, 2017 and December 8, 2017, for operating an unlicensed radio station on 107.1 MHz and 87.9 MHz from the Oakland Park Boulevard site and the 4th Court Site.¹⁶ The NOUOs stated that the unauthorized operation of the Station was illegal, that continued operation of the Station could result in further enforcement action, and that unlicensed operation of the Station must be discontinued immediately.¹⁷ The Bureau did not receive a response to the NOUOs.

7. As a consequence of Salomon ignoring prior enforcement actions, on June 14, 2018, the U.S. Attorney's Office for the Southern District of Florida filed a Verified Complaint *In Rem* (Complaint *In Rem*) in the U.S. District Court for the Southern District of Florida.¹⁸ The Complaint *In Rem*¹⁹ alleged that pursuant to 47 U.S.C. § 510,²⁰ seizure and forfeiture of radio station equipment associated with, or used in connection with, any radio transmissions on the frequencies 87.9 and 107.1 MHz in violation of 47 U.S.C. § 301 from the residence located at 3850 Northwest 4th Court, Lauderhill, Florida 33311, was necessary to prevent continuing violations of the Communications Act. To confirm the Station's location for the *in rem* proceeding, Agents monitored 87.9 MHz in Lauderhill, Florida, on July 25, September 11, and October 16, 2018, and found that the Station was still transmitting on 87.9 MHz from the 4th Court

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confirmed Salomon's identity in the photographs through Florida driver's license records (on file in EB-FIELDSCR-23-00034827).

¹² 47 CFR § 15.239(b).

¹³ See August 24, 2017 and October 25, 2017 recordings of Radio Ideal (on file in EB-FIELDSCR-17-00024576). On August 27, 2017, Agents observed that the audio programming on frequency 107.1 MHz exactly matched the audio of the Station "Radio Ideal 107.1 FM Stereo" on TuneIn.com. See Radio Tele Ideal FM Plus, <https://tunein.com/radio/RADIO-TELE-IDEAL-FM-PLUS-1071-s157751/> (last visited on Aug. 27, 2017).

¹⁴ The Commission does not license radio broadcast stations in the FM broadcast band to operate below 88 MHz. See 47 CFR § 73.201.

¹⁵ The five dates include November 8, 2017, December 19, 2017, January 11, 2018, March 24, 2018, and May 3, 2018. On November 8, 2017, and March 24, 2018, Agents made audio recordings of the Station's broadcasts on 87.9 MHz which confirmed that the Station continued to identify itself as "Radio Ideal." See November 8, 2017 and March 24, 2018 recordings of Radio Ideal (on file in EB-FIELDSCR-17-00024576).

¹⁶ Wilfrid Salomon, Notice of Unlicensed Operation (EB Aug. 24, 2017), <https://www.fcc.gov/document/wilfrid-salomon-lauderdale-lakes-florida>; Wilfrid Salomon, Notice of Unlicensed Operation (EB Dec. 8, 2017), <https://www.fcc.gov/document/wilfrid-salomon-lauderdale-lakes-florida>.

¹⁷ *Id.*

¹⁸ See *U.S. v. Any and All Radio Station Transmission Equipment, et al.*, Verified Complaint *In Rem*, Case No. 18-CV-61354-UU (S.D. Fla. June 14, 2018) (on file in EB-FIELDSCR-17-00024576).

¹⁹ *Id.* at paras. 1, 3, 58.

²⁰ "Any electronic, electromagnetic, radio frequency, or similar device, or component thereof, used . . . with willful and knowing intent to violate section 301 . . . may be seized and forfeited to the United States." 47 U.S.C. § 510(a).

site.²¹ On October 22, 2018, the U.S. Marshals Service, assisted by two Agents from the Miami Office and police officers from the Lauderhill Police Department, executed a warrant issued by the U.S. District Court for the Southern District of Florida at the 4th Court Site and seized the radio station equipment.²²

2. PIRATE Act Investigation

8. The PIRATE Act provides the Commission with authority to issue significant penalties against pirate radio broadcasters and extended the Commission's enforcement authority to encompass acts beyond pirate radio broadcasting. Section 511 provides the Commission with authority to assess forfeitures against any person who permits the operation of pirate radio broadcasting, such as those willing to assist pirate radio broadcasters, including landlords and property owners and other persons or entities that knowingly facilitate continued pirate radio broadcasting.²³

9. On February 5, February 25, and March 5, 2023, Agents from the Miami Office monitored the frequency 87.9 MHz in Broward County and, using direction-finding techniques, traced the source of the signal to an FM transmitter antenna mounted on the roof of a condominium building located at { [REDACTED] } NW 21st Street in Lauderdale Lakes, Florida (21st Street Site). On each of these dates, Agents took field strength measurements of the Station's signal and determined that the transmissions exceeded the limits for operation under part 15 of the Commission's rules.²⁴ Agents listened and heard the Station identify as Radio Ideal (Salomon's Station).²⁵ A review of Commission records revealed no authorization for any FM broadcast station to operate at or near the 21st Street Site at any time relevant to this NAL. An Agent subsequently searched the Broward County property records and determined that Wilfrid Salomon is the owner of a condominium, Unit 404, at the 21st Street Site.²⁶ Driver's license records confirm that the 21st Street Site is Salomon's residence.²⁷ Agents also determined that Salomon's Unit 404 is located on the top floor, almost directly below the transmitting antenna that was first observed on February 5, 2023. Further, an Agent from the Miami Office confirmed that Salomon is the identified

²¹ Agents also took field strength measurements on these dates and determined that Radio Ideal continued to operate above the part 15 power limits without authorization. *See* 47 CFR § 15.239(b). On September 11 and October 16, 2018, the Agents made audio recordings and heard the audio on 87.9 MHz identified as "Radio Ideal." *See* September 11, 2018 and October 16, 2018 recordings of Radio Ideal (on file in EB-FIELDSCR-17-00024576 and EB-FIELDSCR-23-00034827).

²² On July 11, 2019, the Court entered a Final Default Judgment in favor of the United States and against Any and All Radio Station Transmission Equipment. *See U.S. v. Any and All Radio Station Transmission Equipment, et al.*, Final Default Judgment, Case No. 18-CV-61354-UU (S.D. Fla. July 11, 2019) (on file in EB-FIELDSCR-23-00034827).

²³ 47 U.S.C. § 511(a) and (b). *See* S. Rep. No. 116-178, 116th Cong., 1st Sess., at 7 (Dec. 17, 2019) (stating that penalties associated with the PIRATE Act are intended to extend "to those persons or entities who willfully and knowingly violate these sections through facilitating, supporting, causing, or permitting pirate radio broadcasting.")

²⁴ 47 CFR § 15.239(b).

²⁵ On March 5, 2023, an Agent listened to the audio from two Radio Ideal streaming sites and determined that the audio exactly matched simultaneous over-the-air audio on 87.9 MHz. The streaming sites included "Radio Ideal" at <https://tunein.com/Radio-Ideal-s9624/> and "Radio TeleIdeal FM Plus" at <https://tunein.com/radio/RADIO-TELE-IDEAL-FM-PLUS-1071-s157751/>.

²⁶ *See* Broward County Property Appraiser, Property Summary, { [REDACTED] } NW 21st Street Unit 404, Lauderdale Lakes, FL 33311, [https://web.bcpa.net/bcpaclient/#/Record-Search?fnumber={ \[REDACTED\] }](https://web.bcpa.net/bcpaclient/#/Record-Search?fnumber={ [REDACTED] }) (last visited July 5, 2023).

²⁷ *See* Wilfred Salomon, Florida driver's license records (on file in EB-FIELDSCR-23-00034827).

subscriber (i.e., owner) of a telephone number associated with the Station as listed on Radio Ideal's website.²⁸

III. DISCUSSION

A. Salomon Apparently Violated Section 511 of the Act

10. We find that Salomon apparently willfully and knowingly violated section 511 of the Act²⁹ by operating a pirate radio station on 87.9 MHz on February 5, February 25, and March 5, 2023.³⁰ On each of these dates, Agents observed Salomon's Station operating on 87.9 MHz at the 21st Street site. Agents performed field strength measurements and determined that these transmissions exceeded the limits for operation under part 15 of the Commission's rules.³¹ A review of Commission records does not reveal an authorization existed for any FM broadcast station to operate at or near the 21st Street site at any time relevant to the violations discussed in this NAL. Evidence collected by the Agents shows that Salomon is the operator of the unauthorized radio station on 87.9 MHz, as property and driver's license records confirm that Salomon is the owner and resident of Unit 404 at the 21st Street Site. Accordingly, the Commission finds that Salomon's actions on February 5, February 25, and March 5, 2023, constituted pirate radio broadcasting in apparent violation of section 511 of the Act.³²

B. Proposed Forfeiture

11. Section 511 of the Act authorizes the Commission to impose a forfeiture against any person "who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting."³³ In exercising our forfeiture authority, we consider the "nature, circumstances, extent and gravity of the violations 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."³⁴ We may adjust a forfeiture downward for minor violations, good faith or voluntary disclosure, a history of overall compliance, or an inability to pay.³⁵

12. Section 511 of the Act and section 1.80 of the Commission's rules authorize enhanced penalties for pirate radio broadcasting.³⁶ Under these sections, any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than \$119,555 for each day during which the offense occurs, but not more than \$2,391,097 in total.³⁷

²⁸ See records produced in response to a subpoena (July 2023) (on file in EB-FIELDSCR-23-00034827). See www.radioideal.com, listing Salomon's telephone number as a Station contact (visited Mar. 28, 2023).

²⁹ 47 U.S.C. § 511.

³⁰ See *supra* para. 9.

³¹ 47 CFR §§ 15.209(a), 15.239(b); see also 47 U.S.C. § 511(h) (stating that pirate radio broadcasting "does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations").

³² 47 U.S.C. § 511(a), (h).

³³ 47 U.S.C. § 511(a).

³⁴ 47 CFR § 1.80(b)(11).

³⁵ *Id.*

³⁶ 47 U.S.C. § 511; 47 CFR § 1.80(b)(6).

³⁷ 47 U.S.C. § 511(a)-(b); See 47 CFR § 1.80(b)(6) (setting the current inflation adjusted statutory maximum for a violation of 47 U.S.C. § 511(a) at \$2,391,097 and 47 U.S.C. § 511(b) at \$119,555); Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation, Order, DA 23-1198, 2023 WL 8889597 (EB Dec. 22, 2023); see also Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 89 Fed. Reg. 2148 (Jan. 12, 2024) (setting Jan. 15, 2024 as the effective date for the increases).

13. The primary intent of the PIRATE Act is to increase financial penalties for pirate radio broadcasting.³⁸ Accordingly, as explained in two recent notices of apparent liability for forfeiture under the PIRATE Act, we impose a base forfeiture of \$20,000³⁹ (twice the pre-PIRATE Act base forfeiture level) for each of the three days that Salomon apparently willfully and knowingly violated section 511 of the Act, for a total proposed base forfeiture of \$60,000.⁴⁰

14. Moreover, given the particular facts of this case, and consistent with the *Forfeiture Policy Statement*,⁴¹ we conclude that a significant upward adjustment is warranted based on Salomon's history of prior violations of the Act in 2017 and 2018.⁴² We also find that Salomon's conduct was intentional. Salomon had been warned multiple times in 2017 that his conduct was illegal⁴³ and had his equipment seized by the U.S. Marshals Service in 2018,⁴⁴ but he nonetheless chose to continue to operate without authorization. Based on these factors, we propose the maximum penalty of \$119,555⁴⁵ for each of the three days which Salomon operated his Station in 2023 for a total penalty of \$358,665. 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. After applying section 1.80 of the Commission's rules and the statutory factors, and consistent with the *Forfeiture Policy Statement*, Salomon is apparently liable for a proposed total monetary forfeiture of \$358,665.⁴⁶

IV. CONCLUSION

15. We have determined that Wilfrid Salomon apparently willfully and knowingly did or caused pirate radio broadcasting in violation of section 511 of the Act. As such, Wilfrid Salomon is apparently liable for a forfeiture of \$358,665.

V. ORDERING CLAUSES

16. Accordingly, **IT IS ORDERED** that, pursuant to section 511 of the Communications Act of 1934, as amended, 47 U.S.C. § 511, and section 1.80 of the Commission's rules, 47 CFR § 1.80, Wilfrid Salomon is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the

³⁸ See S. Rep. No. 116-178, 1 (2019) ("The purpose of S. 1228, the Preventing Illegal Radio Abuse Through Enforcement Act or PIRATE Act, is to increase the financial penalties for pirate radio broadcasting.").

³⁹ The Commission first used this base forfeiture amount in two prior Notices of Apparent Liability for Forfeiture. See *César Ayora and Luis Angel Ayora, Queens, New York*, Notice of Apparent Liability for Forfeiture, FCC 23-17, 2023 WL 2560017, at *5 (Mar. 15, 2023); *Thomas Barnes, La Grande, Oregon*, Notice of Apparent Liability for Forfeiture, FCC 23-16, 2023 WL 2560016, at *4 (Mar. 15, 2023).

⁴⁰ See 47 U.S.C. § 511.

⁴¹ See *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17101, para. 27 (1997) (*Forfeiture Policy Statement*), recons. denied, Memorandum Opinion and Order, 15 FCC Rcd 303 (1999); 47 CFR § 1.80(b)(11).

⁴² See *supra* paras. 4-7.

⁴³ See *supra* para. 6.

⁴⁴ See *supra* para. 7.

⁴⁵ 47 U.S.C. § 511(a)-(b); See 47 CFR § 1.80(b)(6) (setting the current inflation adjusted statutory maximum for a violation of 47 U.S.C. § 511(a) at \$2,391,097 and 47 U.S.C. § 511(b) at \$119,555); Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation, Order, DA 23-1198, 2023 WL 8889597 (EB Dec. 22, 2023); see also Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 89 Fed. Reg. 2148 (Jan. 12, 2024) (setting Jan. 15, 2024 as the effective date for the increases).

⁴⁶ 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.

amount of three hundred fifty eight thousand six hundred sixty five dollars (\$358,665) for willful and knowing violation of section 511 of the Act. 47 U.S.C. § 511.

17. **IT IS FURTHER ORDERED** that, pursuant to section 1.80 of the Commission's rules,⁴⁷ within thirty (30) calendar days of the release date of this Notice of Apparent Liability for Forfeiture, Wilfrid Salomon **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 20 below.

18. In order for Wilfrid Salomon to pay the proposed forfeiture, he shall notify the Office of the Field Director at field@fcc.gov of his intent to pay, whereupon an invoice will be posted in the Commission's Registration System (CORES) at <https://apps.fcc.gov/cores/userLogin.do>. Upon payment, Wilfrid Salomon shall send electronic notification of payment to the Office of the Field Director, Enforcement Bureau, Federal Communications Commission, at field@fcc.gov on the date said payment is made. Payment of the forfeiture must be made by credit card using CORES at <https://apps.fcc.gov/cores/userLogin.do>, ACH (Automated Clearing House) debit from a bank account, or by wire transfer from a bank account. 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:⁴⁸

- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. In the OBI field, enter the FRN(s) captioned above and the letters "FORF". In addition, a completed Form 159⁴⁹ or printed CORES form⁵⁰ must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to RROGWireFaxes@fcc.gov on the same business day the wire transfer is initiated. Failure to provide all required information in Form 159 or CORES may result in payment not being recognized as having been received. When completing FCC Form 159 or CORES, 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).⁵¹ 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 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.

⁴⁷ 47 CFR § 1.80.

⁴⁸ For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6).

⁴⁹ FCC Form 159 is accessible at <https://www.fcc.gov/licensing-databases/fees/fcc-remittance-advice-form-159>.

⁵⁰ Information completed using the Commission's Registration System (CORES) does not require the submission of an FCC Form 159. CORES is accessible at <https://apps.fcc.gov/cores/userLogin.do>.

⁵¹ Instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

- Payment by ACH must be made by using CORES at <https://apps.fcc.gov/cores/userLogin.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.

19. 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, NE, Washington, D.C. 20554.⁵² Questions regarding payment procedures should be directed to the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

20. 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 to sections 1.16 and 1.80(g)(3) of the Commission’s rules.⁵³ The written statement must be mailed to the Office of the Secretary, Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554, ATTN: Enforcement Bureau – Office of the Field Director, and must include the NAL/Account Number referenced in the caption. The statement must also be e-mailed to the Office of the Field Director at field@fcc.gov.

21. 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.⁵⁴ 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.⁵⁵

⁵² See 47 CFR § 1.1914.

⁵³ *Id.* §§ 1.16, 1.80(g)(3).

⁵⁴ 47 U.S.C. § 503(b)(2)(E).

⁵⁵ See, e.g., *Ocean Adrian Hinson, Surry County, North Carolina*, Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n.21 (2019); *Veal 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).

22. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by first class mail and certified mail, return receipt requested, to Wilfrid Salomon at {[REDACTED]} NW 21st Street, Unit 404, in Lauderdale Lakes, Florida 33311.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *In the Matter of Wilfrid Salomon, Lauderdale Lakes, Florida*, Notice of Apparent Liability for Forfeiture, File No.: EB-FIELDSCR-23-00034827 (January 25, 2024)

In this series of enforcement actions, we propose fines against five unauthorized radio operators in Florida. These operators were not just using the public airwaves unlawfully, they were increasing the risk for harmful interference of authorized users. That is unacceptable.

I want to thank the Field Regional Management and Agents in our Miami Field Office for their work on these investigations. This is a team on the front lines of enforcing our rules governing the public airwaves. I am grateful for their efforts, which have been boosted in a big way by congressional action in the PIRATE Act. I also want to thank those in Washington who took up their work and converted it into what we have here today, including Loyaan Egal, Jeremy Marcus, Matthew Gibson, Ryan McDonald, Michael Rhodes, David Marks, Robert Keller, and Reggie Breshears from the Enforcement Bureau; and William Dever and David Konczal from the Office of General Counsel.