



1 governed by the provisions of parts II and III of title III  
2 and section 507 of this Act—

3 “(1) is operated by any person not holding a valid  
4 radio operator license or permit of the class prescribed  
5 in the rules and regulations of the Commission for the  
6 operation of such station;

7 “(2) is operated without identifying the station at  
8 the times and in the manner prescribed in the rules and  
9 regulations of the Commission;

10 “(3) transmits any false call contrary to regulations  
11 of the Commission;

12 “(4) is operated on a frequency not authorized by  
13 the Commission for use by such station;

14 “(5) transmits unauthorized communications on  
15 any frequency designated as a distress or calling fre-  
16 quency in the rules and regulations of the Commission;

17 “(6) interferes with any distress call or distress  
18 communication contrary to the regulations of the Com-  
19 mission;

20 “(7) fails to attenuate spurious emissions to the ex-  
21 tent required by the rules and regulations of the  
22 Commission;

23 “(8) is operated with power in excess of that au-  
24 thorized by the Commission;

1           “(9) renders a communication service not author-  
2 ized by the Commission for the particular station;

3           “(10) is operated with a type of emission not  
4 authorized by the Commission;

5           “(11) is operated with transmitting equipment  
6 other than that authorized by the Commission; or

7           “(12) willfully or repeatedly fails to respond to  
8 official communications from the Commission;

9 the person or persons operating such station and the licensee  
10 of the station shall, in addition to any other penalty pre-  
11 scribed by law, each forfeit to the United States the sum of  
12 \$100. The violation of the provisions of each numbered  
13 clause of this subsection shall constitute a separate offense:  
14 *Provided*, That \$100 shall be the maximum amount of  
15 forfeiture liability for which any person shall be liable under  
16 this section for the violation of the provisions of any one of  
17 the numbered clauses of this subsection, irrespective of the  
18 number of violations thereof, occurring within ninety days  
19 prior to the date the notice of apparent liability is issued or  
20 sent as provided in subsection (c) of this section: *And pro-*  
21 *vided further*, That \$500 shall be the maximum amount of  
22 forfeiture liability for which any such person shall be liable  
23 under this section for all violations of the provisions of this  
24 section, irrespective of the total number thereof, occurring

1 within ninety days prior to the date said notice of apparent  
2 liability is issued or sent as provided in subsection (c) of  
3 this section.

4 “(b) The forfeiture liability provided for in this section  
5 shall attach only for a willful, or negligent, or repeated vio-  
6 lation by any such person of the provisions of this section.

7 “(c) No forfeiture liability under this section shall at-  
8 tach after the lapse of ninety days from the date of the viola-  
9 tion unless within such time a written notice of apparent  
10 liability, setting forth the facts which indicate apparent lia-  
11 bility, shall have been issued by the Commission and re-  
12 ceived by such person, or the Commission has sent him such  
13 notice by registered mail or by certified mail at his last  
14 known address. The person so notified of apparent liability  
15 shall have the opportunity to show cause in writing why he  
16 should not be held liable and, upon his request, he shall be  
17 afforded an opportunity for a personal interview with an  
18 official of the Commission at the field office of the Commis-  
19 sion nearest to the person's place of residence.”

20 SEC. 2. Section 504 (b) of the Communications Act of  
21 1934 (47 U.S.C. 504 (b) ) is amended by striking out “sec-  
22 tion 503 (b) and section 507” and inserting in lieu thereof  
23 “, section 503 (b) , section 507, and section 510”.

24 SEC. 3. This Act shall take effect on the thirtieth day  
25 after the date of its enactment.

87TH CONGRESS  
1ST SESSION

**S. 1668**

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**A BILL**

To authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields.

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By Mr. MAGNUSON

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APRIL 18, 1961

Read twice and referred to the Committee on  
Commerce

87<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1668

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IN THE SENATE OF THE UNITED STATES

APRIL 18, 1961

Mr. MAGNUSON (by request) introduced the following bill; which was read twice and referred to the Committee on Commerce

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## A BILL

To authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That title V of the Communications Act of 1934 is amended  
4 by adding at the end thereof a new section as follows:

5 "FORFEITURE IN CASES OF VIOLATIONS OF CERTAIN RULES  
6 AND REGULATIONS

7 "SEC. 510. (a) Where any radio station other than  
8 licensed radio stations in the broadcast service or stations

1 governed by the provisions of parts II and III of title III  
2 and section 507 of this Act—

3 “(1) is operated by any person not holding a valid  
4 radio operator license or permit of the class prescribed  
5 in the rules and regulations of the Commission for the  
6 operation of such station;

7 “(2) is operated without identifying the station at  
8 the times and in the manner prescribed in the rules and  
9 regulations of the Commission;

10 “(3) transmits any false call contrary to regulations  
11 of the Commission;

12 “(4) is operated on a frequency not authorized by  
13 the Commission for use by such station;

14 “(5) transmits unauthorized communications on  
15 any frequency designated as a distress or calling fre-  
16 quency in the rules and regulations of the Commission;

17 “(6) interferes with any distress call or distress  
18 communication contrary to the regulations of the Com-  
19 mission;

20 “(7) fails to attenuate spurious emissions to the ex-  
21 tent required by the rules and regulations of the  
22 Commission;

23 “(8) is operated with power in excess of that au-  
24 thorized by the Commission;

1           “(9) renders a communication service not author-  
2           ized by the Commission for the particular station;

3           “(10) is operated with a type of emission not  
4           authorized by the Commission;

5           “(11) is operated with transmitting equipment  
6           other than that authorized by the Commission; or

7           “(12) willfully or repeatedly fails to respond to  
8           official communications from the Commission;

9           the person or persons operating such station and the licensee  
10          of the station shall, in addition to any other penalty pre-  
11          scribed by law, each forfeit to the United States the sum of  
12          \$100. The violation of the provisions of each numbered  
13          clause of this subsection shall constitute a separate offense:

14          *Provided*, That \$100 shall be the maximum amount of  
15          forfeiture liability for which any person shall be liable under  
16          this section for the violation of the provisions of any one of  
17          the numbered clauses of this subsection, irrespective of the  
18          number of violations thereof, occurring within ninety days  
19          prior to the date the notice of apparent liability is issued or  
20          sent as provided in subsection (c) of this section: *And pro-*  
21          *vided further*, That \$500 shall be the maximum amount of  
22          forfeiture liability for which any such person shall be liable  
23          under this section for all violations of the provisions of this  
24          section, irrespective of the total number thereof, occurring

1 within ninety days prior to the date said notice of apparent  
2 liability is issued or sent as provided in subsection (c) of  
3 this section.

4 “(b) The forfeiture liability provided for in this section  
5 shall attach only for a willful, or negligent, or repeated vio-  
6 lation by any such person of the provisions of this section.

7 “(c) No forfeiture liability under this section shall at-  
8 tach after the lapse of ninety days from the date of the viola-  
9 tion unless within such time a written notice of apparent  
10 liability, setting forth the facts which indicate apparent lia-  
11 bility, shall have been issued by the Commission and re-  
12 ceived by such person, or the Commission has sent him such  
13 notice by registered mail or by certified mail at his last  
14 known address. The person so notified of apparent liability  
15 shall have the opportunity to show cause in writing why he  
16 should not be held liable and, upon his request, he shall be  
17 afforded an opportunity for a personal interview with an  
18 official of the Commission at the field office of the Commis-  
19 sion nearest to the person's place of residence.”

20 SEC. 2. Section 504 (b) of the Communications Act of  
21 1934 (47 U.S.C. 504 (b) ) is amended by striking out “sec-  
22 tion 503 (b) and section 507” and inserting in lieu thereof  
23 “, section 503 (b) , section 507, and section 510”.

24 SEC. 3. This Act shall take effect on the thirtieth day  
25 after the date of its enactment.

87TH CONGRESS  
1ST SESSION

**S. 1668**

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By Mr. MAGNUSON

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APRIL 18, 1961

Read twice and referred to the Committee on  
Commerce



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20          forfeiture liability for which any such person shall be liable  
21          under this section for all violations of the provisions of this  
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20 1934 (47 U.S.C. 504 (b) ) is amended by striking out “sec-  
21 tion 503 (b) and section 507” and inserting in lieu thereof  
22 “, section 503 (b) , section 507, and section 510”.

23 SEC. 3. This Act shall take effect on the thirtieth day  
24 after the date of its enactment.

Calendar No. 332

87TH CONGRESS  
1ST SESSION

**S. 1668**

[Report No. 361]

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**A BILL**

To authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields.

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By Mr. MAGNUSON

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APRIL 18, 1961

Read twice and referred to the Committee on  
Commerce

JUNE 8, 1961

Reported without amendment