



FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Spectrum Enforcement Division
1270 Fairfield Road
Gettysburg, Pennsylvania 17325-7245

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 10, 2007

Robert J. Langston
286 Hudson Street
Cornwall on Hudson, NY 12520

SUBJECT: Amateur Radio license W2ENY; Case #EB-2007-3029

Dear Mr. Langston:

Enclosed is a complaint received by the Commission concerning the operation of your Amateur station. The complaint alleges transmission of recordings, including recordings of the radio transmissions of other operators, and false identification of transmissions. The information contained in the complaint, if true, raises serious questions regarding your qualifications to retain an Amateur license. We note that your license is due for renewal in December of this year.

Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 308(b), gives the Commission the authority to obtain information from applicants and licensees about the operation of their station and their qualifications to remain a licensee. Accordingly, you are requested to respond to this office within 20 days of receipt of this letter furnishing the following information.

1. At any time during December 2006 and January 2007, were recordings transmitted from your station? If so, fully explain the circumstances, including frequencies and times.
2. At any time during December 2006 and January 2007, did you retransmit the communications of any other Amateur station? If so, fully explain the circumstances, including frequencies and times.
3. List dates and times, if any, during 2006 and 2007 in which you transmitted recordings from your station. If transmissions of recordings were made, provide an explanation of each incident.

You are directed to support your response with a signed and dated affidavit or declaration under penalty of perjury, verifying the truth and accuracy of the information submitted in your response.

To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment. *See* 18 U.S.C. § 1001; *see also* 47 C.F.R. § 1.17 (copy enclosed). Failure to respond appropriately to this letter of inquiry may constitute a violation of the

Communications Act and our rules.¹

In an inquiry of this type we are required to notify you that under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), the Commission's staff will use all relevant information before it, including information that you disclose in your reply, to determine what, if any, enforcement action is warranted in this matter. Such action may include license revocation, suspension of your operator privileges, or monetary forfeiture (fine). **Fines normally range from \$7,500 to \$10,000.** Finally, unless this matter is resolved, your license will not be routinely renewed and may be set for a hearing before an Administrative law Judge in Washington, DC, in which you would have the burden of proof to show that you are qualified to retain an Amateur radio license.

If you wish to review the recordings referenced in the complaint, please call me at 717-338-2502.

Sincerely,

W. Riley Hollingsworth
Special Counsel

Enclosures: 10
cc: FCC Northeastern Regional Director

¹See *SBC Communications, Inc.*, 17 FCC Rcd 7589 (2002); *Globcom, Inc.*, 18 FCC Rcd 19893, n. 36 (2003), *forfeiture ordered*, 21 FCC Rcd 4710 (2006); *World Communications Satellite Systems, Inc.*, 19 FCC Rcd 2718 (Enf. Bur. 2004); *Donald W. Kaminski, Jr.*, 18 FCC Rcd 26065 (Enf. Bur. 2003).