

## *FM Micro Power Radio Guide*

### FCC and Reality

The FCC, at least at the time of the writing of this book, is not a gestapo type government entity like the IRS. Mostly they are your typical government licensing agency concerned in what is perceived the "greater good" for the "people" of our country. They have no law enforcement ability by themselves and rely mostly on enforcing their regulations by fines, usually to licensed radio operations that could have their licence taken away for failure to comply to regulations or pay fines.

In the case of unlicensed broadcasters things get a little more tricky. The FCC's recourse is to take a fined unlicensed broadcaster to civil court. This rarely happens. In most cases the unlicensed broadcaster stops broadcasting and pays the fine or broadcaster stops broadcasting and doesn't pay the fine. In the latter case the FCC rarely goes after the broadcaster for the fine and the whole matter is dropped.

The FCC doesn't drive the streets at night looking for unlicensed broadcasters. In almost all cases the FCC will not go after an unlicensed broadcaster unless there has been complaints about the broadcaster. Most of these complaints are generated from people that the unlicensed broadcaster is interfering with. There have also been a few cases where legitimate broadcasters complain about unlicensed broadcasters because they were taking too many listeners away.

The FCC does have vans that resemble small motorhomes that they use for enforcement of their regulations, but these vans are usually used for licensed enforcement. For unlicensed enforcement the FCC usually uses their specially modified station wagons. These cars have specially fitted fiberglass roofs with antennas mounted in them. Both the vans and the cars, contrary to popular belief, usually have no antennas hanging off them. All the antennas are encased in the body or in plastic containers on their roofs.

### FCC and Recent Busts

Since the micro power radio movement has been gaining lots of momentum lately, there has been a corresponding number of people served with "notices of apparent violation", which basically mean "We (the FCC) know/think you are broadcasting illegally". The fines levied have been much higher than have been issued in the past for unlicensed operation.

There has been one crowning difference between the most recent "busts" and the older ones. This is that the unlicensed operators have been running high profile radio stations. While there has been many documented cases in the past of college students running for years with their low profile station without a peep out of the FCC, these guys are thumbing their noses at the FCC, the licensed broadcasters, and the government. High profile, media campaigns, and anti-establishment broadcasts are prevalent. And like any government agency, the FCC wants to make an example out of these broadcasters before "more disruption" occurs. In short they are trying to put the cap back in the bottle before the genie gets out.

These high profile stations, Black Liberation Radio, KAPW, Free Radio Berkeley and San Francisco Liberation Radio have lined up to do battle with the FCC the all American way, with lawyers. It will be interesting to see if these suits will resolve any of the questions about the FCC's jurisdiction, and the status of unlicensed broadcasting.