



# NEWS

**Federal Communications Commission**  
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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## **FCC FINES UNIVISION \$20,000 FOR MISUSE OF EAS TONES IN NEW YORK CITY**

### ***Settlement resolves complaint against Station WXNY-FM for transmitting emergency warning tones in a comedy sketch***

Washington, D.C. – The Federal Communications Commission has resolved an investigation into Univision Local Media, Inc.’s (Univision) misuse of emergency alert system (EAS) tones by one of its New York City Spanish-language radio stations when disc jockeys broadcast portions of the EAS tones several times during an episode of the *Luis Jimenez Show*. The DJs openly acknowledged during the comedy sketch that transmitting EAS tones in the absence of an emergency is illegal. Broadcast or transmission of these tones outside an emergency or test violates the FCC’s laws protecting the integrity of the emergency alert system.

“The American public relies on the emergency alert system to inform them of real emergencies,” said Travis LeBlanc, Chief of the FCC’s Enforcement Bureau. “Misuse of the emergency alert system desensitizes the public to the importance of the tones and poses a serious danger to the nation’s public safety, whether those tones are transmitted with programming that is in English, Spanish, or any other language.”

The Enforcement Bureau investigated a complaint from a New Jersey resident who heard EAS tones during a Spanish-language comedy sketch broadcast over Station WXNY-FM, New York, New York on January 28, 2014. The investigation revealed that several of WXNY’s disc jockeys, speaking in a mix of Spanish and English, played the tones during a comedy routine and repeatedly broadcast the tones, even after they acknowledged to the listening public that doing so was illegal. The settlement with Univision requires the company to pay a civil penalty of \$20,000 and implement a comprehensive three-year compliance and reporting plan for WXNY as well as all of Univision’s radio stations across the country.

The EAS is the national public warning system that requires broadcasters, cable television operators, and others to provide a method for authorities to address the public during a national or local emergency. The FCC has long prohibited the transmission of actual or simulated EAS tones in circumstances other than a real alert or an authorized test. For more information about the FCC’s EAS rules visit <http://transition.fcc.gov/eb/broadcast/eas.html>

On Monday, the FCC fined Viacom and ESPN \$1.4 million for misusing EAS tones in promotional advertisements for the movie “Olympus Has Fallen,” which portrayed a terrorist attack on Washington, D.C.

The Order and Consent Decree are available at: [https://apps.fcc.gov/edocs\\_public/attachmatch/DA-15-64A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DA-15-64A1.pdf)

The Viacom Forfeiture Order is available at: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-15-2A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-2A1.pdf)