

**§ 510. Forfeiture of communications devices****(a) Violation with willful and knowing intent**

Any electronic, electromagnetic, radio frequency, or similar device, or component thereof, used, sent, carried, manufactured, assembled, possessed, offered for sale, sold, or advertised with willful and knowing intent to violate section 301 or 302a of this title, or rules prescribed by the Commission under such sections, may be seized and forfeited to the United States.

**(b) Seizure**

Any property subject to forfeiture to the United States under this section may be seized by the Attorney General of the United States upon process issued pursuant to the supplemental rules for certain admiralty and maritime claims by any district court of the United States having jurisdiction over the property, except that seizure without such process may be made if the seizure is incident to a lawful arrest or search.

**(c) Laws applicable to seizure and forfeiture**

All provisions of law relating to—

- (1) the seizure, summary and judicial forfeiture, and condemnation of property for violation of the customs laws;
- (2) the disposition of such property or the proceeds from the sale thereof;
- (3) the remission or mitigation of such forfeitures; and
- (4) the compromise of claims with respect to such forfeitures;

shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions of this section, except that such seizures and forfeitures shall be limited to the communications device, devices, or components thereof.

**(d) Disposition of forfeited property**

Whenever property is forfeited under this section, the Attorney General of the United States may forward it to the Commission or sell any forfeited property which is not harmful to the public. The proceeds from any such sale shall be deposited in the general fund of the Treasury of the United States.

(June 19, 1934, ch. 652, title V, § 510, as added Pub. L. 97-259, title I, § 125, Sept. 13, 1982, 96 Stat. 1098.)

## REFERENCES IN TEXT

The supplemental rules for certain admiralty and maritime claims, referred to in subsec. (b), were renamed the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions and are set out as part of the Federal Rules of Civil Procedure in the Appendix to Title 28, Judiciary and Judicial Procedure.

## PRIOR PROVISIONS

A prior section 510, act June 19, 1934, ch. 652, title V, § 510, as added May 11, 1962, Pub. L. 87-448, § 1, 76 Stat. 68, related to forfeitures for violations of rules and regulations by radio stations operating in common carrier, safety and special radio fields, prior to repeal effective the thirtieth day after Feb. 21, 1978, by Pub. L. 95-234, §§ 4, 7, Feb. 21, 1978, 92 Stat. 35.

SUBCHAPTER V—A—CABLE  
COMMUNICATIONS

## PART I—GENERAL PROVISIONS

**§ 521. Purposes**

The purposes of this subchapter are to—

- (1) establish a national policy concerning cable communications;
- (2) establish franchise procedures and standards which encourage the growth and development of cable systems and which assure that cable systems are responsive to the needs and interests of the local community;
- (3) establish guidelines for the exercise of Federal, State, and local authority with respect to the regulation of cable systems;
- (4) assure that cable communications provide and are encouraged to provide the widest possible diversity of information sources and services to the public;
- (5) establish an orderly process for franchise renewal which protects cable operators against unfair denials of renewal where the operator's past performance and proposal for future performance meet the standards established by this subchapter; and
- (6) promote competition in cable communications and minimize unnecessary regulation that would impose an undue economic burden on cable systems.

(June 19, 1934, ch. 652, title VI, § 601, as added Pub. L. 98-549, § 2, Oct. 30, 1984, 98 Stat. 2780.)

## EFFECTIVE DATE

Pub. L. 98-549, § 9(a), Oct. 30, 1984, 98 Stat. 2806, provided that: "Except where otherwise expressly provided, the provisions of this Act [enacting this subchapter and section 611 of this title, amending sections 152, 224, 309, and 605 of this title, section 2511 of Title 18, Crimes and Criminal Procedure, and section 1805 of Title 50, War and National Defense, and enacting provisions set out as notes under this section and sections 543, 605, and 609 of this title] and the amendments made thereby shall take effect 60 days after the date of enactment of this Act [Oct. 30, 1984]."

## SHORT TITLE

For short title of Pub. L. 98-549 [enacting this subchapter] as the "Cable Communications Policy Act of 1984", see section 1(a) of Pub. L. 98-549, set out as a Short Title of 1984 Amendment note under section 609 of this title.

CONGRESSIONAL FINDINGS AND POLICY FOR PUB. L.  
102-385

Pub. L. 102-385, § 2(a), (b), Oct. 5, 1992, 106 Stat. 1460, 1463, provided that:

"(a) FINDINGS.—The Congress finds and declares the following:

- "(1) Pursuant to the Cable Communications Policy Act of 1984 [Pub. L. 98-549, enacting this subchapter and section 611 of this title, amending sections 152, 224, 309, and 605 of this title, section 2511 of Title 18, Crimes and Criminal Procedure, and section 1805 of Title 50, War and National Defense, and enacting provisions set out as notes under this section and sections 543, 605, and 609 of this title], rates for cable television services have been deregulated in approximately 97 percent of all franchises since December 29, 1986. Since rate deregulation, monthly rates for the lowest priced basic cable service have increased by 40 percent or more for 28 percent of cable television subscribers. Although the average number of basic chan-