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FCC Enforcement Monitor

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HEADLINES

Pillsbury's communications lawyers have published the FCC Enforcement Monitor monthly since 1999 to inform our clients of notable FCC enforcement actions against FCC license holders and others. This month's issue includes:

- Children's Programming Shortfall Leads to $28,000 Consent Decree for Indiana Class A TV Station
- FCC Issues Notice of Unlicensed Operation for Using Excessive Power in CB Radio Band
- Siren Blasts Over GMRS Repeaters Lead to FCC Warning for California Radio Operator

Indiana Class A Television Station Agrees to $28,000 Payment to Resolve Children's Programming Investigation

The Video Division of the FCC's Media Bureau entered into a Consent Decree with the licensee of an Indiana Class A television station to resolve an investigation into the station's failure to air the required amount of regularly scheduled children's educational programming. The station aired fewer than 26 hours of regularly scheduled children's programming during the fourth quarter of 2020 and in each quarter of 2021, falling short of the quarterly benchmark in the FCC's safe harbor processing guidelines.

The Children's Television Act of 1990 (CTA) directs the FCC to consider, when reviewing a television station license renewal application, how well the licensee has served the educational and informational needs of children through its programming. Section 73.671(d) of the FCC's Rules implements the CTA through guidelines for "Core Programming"—programming specifically designed to serve the educational and informational needs of children ages 16 and under. A station can meet the safe harbor processing guidelines if it airs an average of three hours of Core Programming per week, or 156 hours annually, "including at least 26 hours per quarter of regularly scheduled weekly programming."

Where a station fails to meet the minimum requirements of the processing guidelines, the Media Bureau must refer the license renewal application to the full Commission for review. As a result, upon finding that the station failed to meet the Core Programming guidelines for five consecutive quarters, the Media Bureau referred the application to the full Commission.

In its review, the Commission found that the licensee "had faced significant regulatory and operational changes, as well as unique factual scenarios" during its license term and returned the application to the Media Bureau for further processing.

To bring the investigation to a close, the licensee entered into a Consent Decree with the Media Bureau, agreeing to make a voluntary contribution of $28,000 to the U.S. Treasury within thirty days of entering the Consent Decree. In light of the

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Consent Decree, the Media Bureau concluded that grant of the license renewal application for a full eight-year term would be in the public interest and terminated the investigation.

Georgia CB Radio Operator Warned After FCC Finds Radio Transmitting at 70 Times the Legal Power Limit

The Atlanta office of the FCC's Enforcement Bureau issued a Notice of Unlicensed Operation (NOUO) to a Georgia individual for operating a Citizens Band (CB) radio at far greater power than the FCC allows.

According to the NOUO, the FCC received complaints about transmissions on CB frequency 27.025 MHz. On August 20, 2026, FCC agents used direction-finding techniques to trace the transmissions to an individual's home in Marietta, Georgia. During an inspection that same day, agents found that the CB unit was transmitting a 280-watt signal.

Under the FCC's Rules, CB radio users are no longer required to hold an individual FCC license to operate so long as they follow the FCC's rules governing CB operation. One of those rules limits CB stations operating in AM mode to 4 watts of output power. The individual's radio was operating at 70 times that limit. By violating the rule, the individual lost his automatic authorization to operate, which turned his transmissions into an unlicensed operation in violation of Section 301 of the Communications Act.

The NOUO warned that operating above the CB power limit could lead to "substantial monetary fines, in rem arrest action against the offending radio equipment, and criminal sanctions including imprisonment," meaning the FCC could seek fines, have the radio equipment seized, and pursue criminal charges. The NOUO directed the individual to cease unauthorized operation immediately, and giving him 10 days to provide any evidence that the FCC had authorized his operation. The FCC will then "determine what, if any, enforcement action" is necessary to ensure compliance with FCC Rules.

FCC Issues Notice of Unlicensed Operation and Harmful Interference After Handheld Radios Jam Southern California GMRS Repeaters

The Los Angeles office of the FCC's Enforcement Bureau issued a Notice of Unlicensed Operation and Notification of Harmful Interference (Notice) to a California individual for using handheld radios to transmit a siren sound over General Mobile Radio Service (GMRS) repeaters.

GMRS is a mobile two-way voice communications service used for local communications needs such as vehicle to vehicle, neighborhood watch, and outdoor group activities. According to the Notice, the FCC received several complaints from a Southern California GMRS repeater club about interference to its repeaters on 462.675 MHz and 462.700 MHz. On July 27, 2026, FCC agents investigated and found that the interference was a roughly 6-second siren from a moving vehicle repeatedly transmitted on frequencies GMRS repeaters use to receive content for retransmission.

The agents traced the signals to handheld radios in an automobile parked in El Segundo, California. They identified themselves to an individual seemingly associated with the vehicle, who subsequently returned to the vehicle. The agents then confirmed that the interfering transmissions had ceased.

Under Section 301 of the Communications Act and the FCC's Rules, a license is required to operate on GMRS frequencies. FCC records showed that the individual held no license allowing him to operate on the interfering frequencies at the time of the incident. He held an amateur radio license and was the trustee of an amateur radio club license, but neither covers GMRS operations, and two earlier GMRS licenses he had held expired in 2005 and 2012.

The Notice to the individual also indicated that he had violated Section 333 of the Communications Act, which prohibits intentionally interfering with licensed radio communications. Congress has described this kind of interference as including intentional jamming, deliberately transmitting on top of authorized users to block their communications, and using noisemaking devices to disrupt other stations.

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According to the Notice, violations of Sections 301 and 333 can expose the operator to significant fines, seizure of his radios, and criminal prosecution resulting in jail time. The Notice directed the individual to permanently cease unauthorized operation and interference with licensed operations, and gave him 10 days to respond with a description of the steps he is taking to prevent such violations in the future.

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