

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:

- *Three Face \$25,000 Fine for Using Signal Jammers During Texas Jewelry Store Burglary*
- *Duplicate Subscribers and False Certifications in FCC Lifeline Program Lead to \$10 Million in Proposed Fines*
- *Two North Carolina FM Translators Receive Notice of Violation for Operating While Primary Station Was Silent*

FCC Proposes \$25,000 Fine After Signal Jammers Interfere with Police Communications During Burglary

The FCC's Enforcement Bureau issued a Notice of Apparent Liability for Forfeiture (NAL) proposing a \$25,000 fine against three individuals for operating radiofrequency signal jammers during a jewelry store burglary in Irving, Texas. According to the NAL, the devices interfered with police communications during the incident, threatening officer safety and complicating the police response.

Signal jammers operate by transmitting radio signals that overpower or interfere with authorized communications. Because these devices can disrupt public safety communications and prevent individuals from making emergency calls, their use is generally prohibited under federal law. Section 301 of the Communications Act prohibits radio transmissions without FCC authorization, and Section 333 prohibits willful or malicious interference with licensed or authorized radio communications. Section 302(b) of the Act and Sections 2.805(a) and 15.1(c) of the FCC's Rules also prohibit the use of radiofrequency devices that have not received the required equipment authorization from the FCC.

According to the NAL, police officers responding to a burglary in progress at a Texas jewelry store in September 2025 apprehended three suspects. Upon entering the store, officers discovered two battery-powered signal jammers that appeared to be operating in the 700 MHz band. The police reported that the devices interfered with their communications until officers were able to disable them. The three suspects were arrested on state charges of burglary and interference with police communications.

The Enforcement Bureau concluded that the three individuals appeared to have violated the Communications Act and FCC Rules by operating unauthorized signal jammers and causing interference to licensed police communications. The Bureau also determined that the individuals were jointly and severally liable for the violations, meaning that each could be held responsible for the entire proposed fine.

Section 1.80 of the FCC's Rules establishes a base fine of \$10,000 for unauthorized operation and \$7,000 for causing interference to authorized communications. Although these violations would ordinarily result in a combined base fine of \$17,000, the Enforcement Bureau proposed an upward adjustment to \$25,000, concluding that the deliberate attempt to interfere with police communications during an illegal act constituted egregious conduct. The Bureau found no basis for reducing the proposed fine, emphasizing that the operation of signal jammers posed a significant public safety hazard.

The three individuals have 30 days from the release of the NAL to either pay the proposed \$25,000 fine or submit a written response to the FCC presenting any grounds for reduction or cancellation of the fine.

FCC Proposes More Than \$10 Million in Fines Against Two Wireless Providers for Defrauding Lifeline Program

The FCC issued a Notice of Apparent Liability for Forfeiture and Order (NAL) proposing a combined \$10,127,932 in fines against two commonly owned wireless service providers for defrauding the federal Lifeline Program by improperly claiming duplicate government reimbursements for the same subscribers. The Commission also alleged that the providers violated the federal wire fraud statute, submitted false certifications and statements to the FCC, and failed to comply with their Lifeline compliance plans.

The Lifeline Program subsidizes telephone and broadband internet access services for qualifying low-income consumers. Under Sections 54.407 and 54.410 of the FCC's Rules, participating providers may receive federal reimbursement only for eligible subscribers they actually serve. To prevent duplicate payments, the program generally limits Lifeline support to one service per eligible household. Providers must ensure each subscriber is eligible, prevent duplicate enrollments, and certify the accuracy of their reimbursement requests. The FCC uses the National Lifeline Accountability Database (NLAD) and National Verifier to help identify ineligible or duplicate subscribers, although certain states, including California and Texas during the period at issue, were permitted to use their own eligibility verification systems.

The FCC's investigation followed a January 2026 advisory from its Office of Inspector General raising concerns about duplicate and deceased subscribers in states that were using their own verification systems. According to the NAL, the two providers, which became commonly owned in 2022, exploited weaknesses in the Lifeline Program's verification procedures through three methods. First, they enrolled subscribers in California or Texas while also claiming reimbursement for the same individuals in states using the federal verification system, sometimes using different residential addresses. Second, they exploited a technical flaw in NLAD that allowed multiple enrollment records for the same individual when different telephone numbers were submitted. In some instances, the providers obtained as many as five subscriber identification numbers for a single person. Third, the providers coordinated their enrollment activities so that one company claimed reimbursement for a subscriber in California while the other claimed reimbursement for the same person in another state during the same month.

The Enforcement Bureau determined that, from October through December 2025, the companies submitted 392 duplicate subscriber claims and received \$3,876 in improper Lifeline reimbursements. One provider was responsible for 74 duplicate claims, while the other submitted 318. The FCC noted that the companies had engaged in similar practices dating back to 2023, and that the duplicate claims continued despite their obligation to maintain procedures designed to prevent such conduct. The Bureau also found that the companies falsely certified the accuracy of six reimbursement requests submitted to the FCC during the three-month period from October to December 2025.

In addition to the improper reimbursement claims, the FCC found apparent violations of Section 1.17(a)(2) of its Rules, which prohibits submitting materially incorrect or misleading information to the Commission without a reasonable basis for believing it is accurate. Among other things, one provider had entered into a Consent Decree for other violations in February 2024 requiring payment of a \$150,000 civil penalty. Although the provider certified in May 2024 that it had timely paid the penalty, the FCC determined that payment was not made until March 2025, after the Bureau notified the provider that it was delinquent. The Commission also found that both providers made inaccurate statements during the investigation about their procedures for preventing duplicate Lifeline claims.

The Commission further concluded that the providers apparently violated the federal wire fraud statute by electronically submitting reimbursement requests containing false information as part of a scheme to obtain federal funds to which they were not entitled. In calculating the proposed fines, the FCC applied a base fine of \$20,000 for each reimbursement request containing duplicate subscriber claims and \$5,000 for each individual duplicate claim. Because each provider submitted three improper reimbursement requests, the FCC proposed a base fine of \$60,000 against each provider, plus \$370,000 against one provider for its 74 duplicate claims ($\$5,000 \times 74 = \$370,000$) and \$1,590,000 against the other for its 318 duplicate claims ($\$5,000 \times 318 = \$1,590,000$). The FCC then proposed to apply an upward adjustment of triple the combined base fine amounts (added to the base amount) due to the seriousness and duration of the violations, resulting in proposed fines of \$1,720,000 and \$6,600,000, respectively, for the Lifeline violations. After adding separate proposed fines for wire fraud and false statements to the Commission, the total proposed fines came to \$2,673,966 against one provider and \$7,453,966 against the other, for a combined total of \$10,127,932.

The NAL requires each provider to submit a separate report to the FCC within 30 days explaining its failure to comply with its Lifeline compliance obligations, the steps taken or planned to remedy the current violations, and those taken to prevent violations in the future. The providers have 30 days from release of the NAL to pay the fines or submit written responses providing grounds for reduction or cancellation of the fines.

FCC Issues Notice of Violation to North Carolina FM Translators for Unauthorized Operation

The FCC's Enforcement Bureau issued a Notice of Violation (NOV) to the licensee of two North Carolina FM translator stations for continuing to operate while their primary AM station was off the air.

Section 74.1263(b) of the FCC's Rules generally prohibits FM translators from broadcasting for extended periods when they are not retransmitting the signal of their primary station. The rule provides a limited exception for translators rebroadcasting Class D AM stations, which may continue operating at night if the AM station has operated within the preceding 24 hours.

According to the NOV, an agent from the FCC's Atlanta office monitored the two FM translators on July 23, 2026. Both translators were authorized to rebroadcast the same AM station. However, the agent observed that they were operating during daytime hours while their primary AM station was off the air, in violation of Section 74.1263(b) of the FCC's Rules.

The NOV requires the licensee to submit a written response within 20 days fully explaining the alleged violations, including the specific actions taken to correct the violations and prevent them from happening again. The response must include a timeline for completing any pending corrective actions and be supported by an affidavit or declaration from an authorized officer of the licensee with personal knowledge of the facts. While the NOV does not itself impose a fine, the FCC may take additional enforcement action after reviewing the response, including issuing a Notice of Apparent Liability for Forfeiture.