



## FCC Enforcement Actions

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An Analysis of the Top Ten Broadcast Inspection Violations

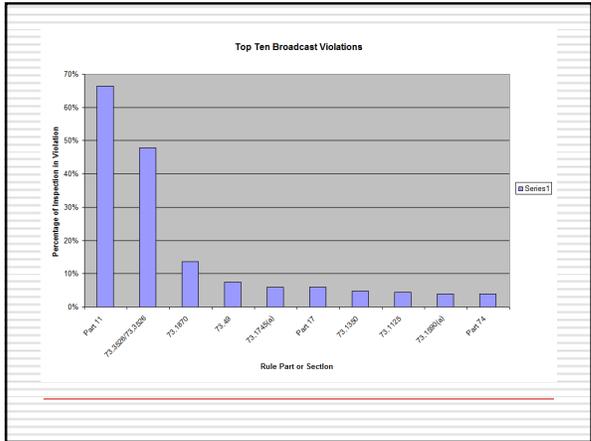
James M. Roop  
District Director  
Chicago District Office  
Enforcement Bureau

### Analysis of Broadcast Violations

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- Five years of data
- NOV's and NAL's
- Over 300 Inspections

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### Top Ten Violations Cited

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<input type="checkbox"/> EAS Issues (Part 11)	<input type="checkbox"/> Transmission system operation (73.1350)
<input type="checkbox"/> Public Inspection File Issues (73.3526)	<input type="checkbox"/> Station main studio location (73.1125)
<input type="checkbox"/> Chief operators (73.1870)	<input type="checkbox"/> Equipment Performance Measurements (73.1590(a))
<input type="checkbox"/> AM tower base fencing (73.49)	<input type="checkbox"/> Broadcast Auxiliary Stations (Part 74)
<input type="checkbox"/> Unauthorized Operation (73.1745)	
<input type="checkbox"/> Antenna Structure Issues (Part 17)	

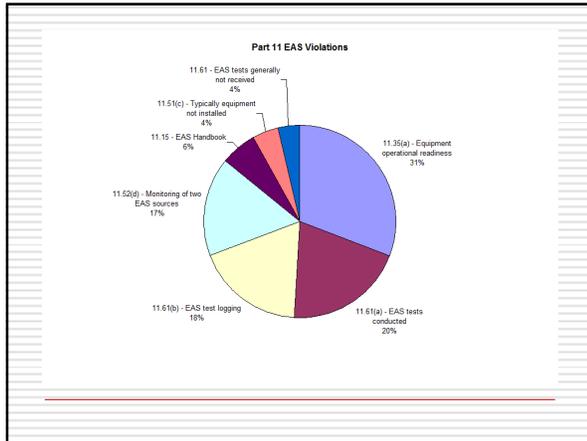
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### EAS VIOLATIONS

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- 47 C.F.R. § 11.35(a)
  - Equipment Operational Readiness
- 47 C.F.R. § 11.61(a)
  - EAS tests conducted
- 47 C.F.R. § 11.61(b)
  - EAS tests logged
- 47 C.F.R. § 11.52(d)
  - Monitoring of two EAS sources
- 47 C.F.R. § 11.15
  - EAS Handbook not available
- 47 C.F.R. § 11.51(c)
  - EAS Equipment generally not installed

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- EAS equipment operational readiness**
- ❑ 47 C.F.R. § 11.35
    - Unable to run a test at time of inspection
    - No current printouts to demonstrate operational readiness of receiver and decoder

**EAS equipment operational readiness**

47 C.F.R. § 1.80 Section I  
*Base Amounts for Section 503 Forfeitures*

EAS equipment not installed  
 or operational: \$8,000

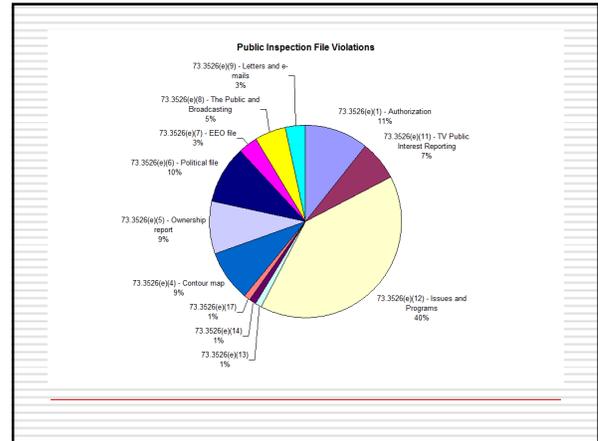
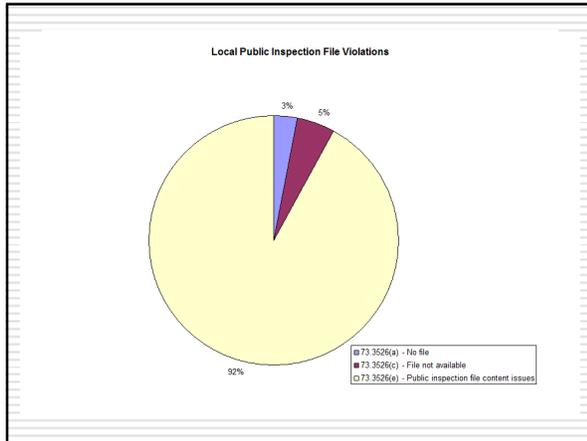
- Test of EAS procedures**
- ❑ 47 C.F.R. § 11.61(a)(1)(i)
    - Not retransmitting monthly tests
  - ❑ 47 C.F.R. § 11.61(b)
    - No entries in station records of received tests
    - No entries in station records explaining why tests were not received

**Test of EAS procedures**

47 C.F.R. § 1.80 Section I  
*Base Amounts for Section 503 Forfeitures*

Failure to maintain required records: \$1,000

- LOCAL PUBLIC INSPECTION FILE**
- ❑ 47 C.F.R. § 73.3526(a)
    - No file available for inspection
  - ❑ 47 C.F.R. § 73.3526(c)
    - Available for inspection during regular business hours
  - ❑ 47 C.F.R. § 73.3526(e)
    - No copy of station authorization
    - No service contour map
    - No public inspection file



**Local Public Inspection File**

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47 C.F.R. § 1.80 Section I  
*Base Amounts for Section 503 Forfeitures*

Violation of public file rules: \$10,000

73.3526(a) - No File:	\$10,000
73.3526(c) - File not available:	\$8,000 - \$10,000
73.3526(e)(12) - No Issues and Programs List:	\$4,000 - \$10,000

**CHIEF OPERATORS**

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- 47 C.F.R. § 73.1870(b)(3)
  - No written designation
  - Designation not posted with station license
- 47 C.F.R. § 73.1870(c) (3)
  - No chief operator review of station logs
  - Log review not signed or dated



**AM tower base fencing**

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47 C.F.R. § 1.80 Section I  
*Violations Unique to the Service*

AM Tower Fencing: \$7,000

## UNAUTHORIZED OPERATION

- 47 C.F.R. § 73.1745(a)
  - Power levels during Post-sunset or pre-sunrise operation
  - Nighttime pattern

## Unauthorized operation

47 C.F.R. § 1.80 Section I  
*Base Amounts for Section 503 Forfeitures*

Exceeding Power Limits: \$4,000

## ANTENNA STRUCTURE ISSUES

- 47 C.F.R. § 17.4(a)
  - Structures never registered
- 47 C.F.R. § 17.4(g)
  - Registration numbers not posted

## TRANSMISSION SYSTEM OPERATION

- 47 C.F.R. § 73.1350(a)
  - Ground system of AM station not in accordance with authorization
  - FM station with antenna not in accordance with authorization
- 47 C.F.R. § 73.1350(b)(2)
  - Lack of transmitter control
- 47 C.F.R. § 73.1350(c)(2)
  - Meters not calibrated

## Transmission system operation

47 C.F.R. § 11.80 Section I  
*Base Amounts for Section 503 Forfeitures*

Violation of transmitter control and metering requirements: \$3,000

## STATION MAIN STUDIO LOCATION

- 47 C.F.R. § 73.1125(a)
  - Lack of full-time managerial presence
  - Inadequate signage or posting of business hours to the public
  - Lack of production or transmission facilities

## Station main studio location

47 C.F.R. § 1.80 Section I  
*Violations Unique to the Service*

Violation of main studio rule: \$7,000

## EQUIPMENT PERFORMANCE MEASUREMENTS

☐ 47 C.F.R. § 73.1590(a)

## BROADCAST AUXILIARY STATIONS

☐ 47 C.F.R. Part 74

## AVOIDING VIOLATIONS

☐ <http://transition.fcc.gov/eb/bc-chklsts/>

Summary of Changes (May 2010)
AM Broadcast Station Checklist (Sept. 2009)
FM Broadcast Station Checklist (Sept. 2009)
TV Broadcast Station Checklist (Sept. 2009)
Class A TV Broadcast Station Checklist (Sept. 2009)
FM Translator Checklist (June 2008)
LPFM Checklist (June 2008)
Low Power TV, TV Translator & TV Booster Checklist (May 2010)

## RECENT ACTIONS

☐ <http://transition.fcc.gov/eb/FieldNotices/>