

Washington Issues for Engineers

Midwest Regional Broadcasters Clinic

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The State of Washington DC

- Lots of partisan fights in Washington, including many about broadcast issues
- Much technical regulation relatively immune – FCC decisions on technical matters generally but not always unanimous
- Unlike last year, government funding in place until after the mid-term elections so, right now, business as usual (to the extent that anything is business as usual in Washington)
- But always some changes – some new issues to consider, and some opportunities to review
- And enforcement of technical rules generally remain consistent no matter who is in charge of the government

The State of the FCC

- Three Commissioners for over a year
- Two empty seats – with the one Democratic commissioner serving on a term that has expired (though she can stay until the end of 2027) and one new Republican nominee (Danielle Thumann Severs) who has confirmation hearing scheduled for Friday
- FCC Chairman very willing to enforce Administration's priorities
- A Republican majority for over a year – what has it meant for broadcasters?
 - Some review of ownership rules
 - Some deletion of FCC paperwork requirements
 - Lots of controversy!

Specific Issues to Talk About

- Broadcast ownership
- AM in Cars and other AM Issues
- ATSC 3.0 implementation
- EAS Compliance and security
- Equipment Security, NEPA, C-Band
- Delete Delete Delete
- New station filing windows
- FM Issues including Zonecasting and C4s
- Compliance and enforcement issues
 - FCC Authority for Fines
 - Operating in compliance with your license
 - Keeping required paperwork
 - Tower lights and registrations
 - Accessibility Issues

Ownership

- We have expected major changes in ownership rules as Chairman Carr had said that the rules are outmoded and should be abolished – but changes slower than expected
- FCC did “abolish” the 39% national cap – but still undertaking review of proposals that exceed that cap
- Court threw out restrictions on Top 4 TV stations combinations – already lots of deals combining Top 4 stations
 - A few “triopolies” approved through waiver process
- Radio rules not changed – yet
 - Rulemaking to change those rules is underway with decision expected soon – probably this year
 - Already a number of waiver requests granted
- Be prepared to be dealing with new market realities real soon!

AM Radio Issues

- AM in cars is the big issue – Congress is being asked to require that car dealers keep AM in cars – AM Radio For Every Vehicle Act scheduled for House vote this week
 - Would still need Senate approval before the end of the year and Presidential signature to become effective
- Delete Delete Delete process allowed AM changes in power of less than 20%
- Proposals for changes in AM efficiency standards and for applications to be allowed in expanded band
- Long-pending proposals are still out there for more fundamental issues to change interference protections
 - Proposals for less protection for clear channel stations, and for other high-powered stations – NPRM on clear channels issued almost 10 years ago
 - Proposal to allow more interference on fringe of coverage, but other stations would have opportunities to increase power in core areas
 - Controversial in the industry – no consensus so no action
- Ideas pop up from time to time for full-time use of translator with silent or surrendered AM – consistently rejected so far but new administration could review this policy

ATSC 3.0

- NAB pushing for mandatory conversion deadline for ATSC 3.0
 - Resistance from cable and from consumer protection groups
 - Rulemaking comments filed and decision pending in proceeding that could include mandatory cut-off date
- Support for idea of Broadcast Positioning Service – BPS uses ATSC 3.0 signals as a complementary and supplementary system for GPS
 - FCC looking at need for BPS to provide security should GPS fail
- Some TV broadcasters talking about opportunities for non-broadcast uses of broadcast spectrum after ATSC 3.0 transition – and a pending proposal for another repacking of TV band
- Note that there is an LPTV proposal for an alternative transmission system – 5GTV – could also facilitate move to non-broadcast uses of LPTV channels

FCC Activity for LPTV and TV Translators

- LPTV and TV translator freezes lifted and applications for new stations (as well as major and minor changes) can be filed as of March 19
 - Everything processed on a first-come, first-served basis unless mutually exclusive applications filed on the same day – auction if no settlement
 - Many applications filed – over 1800 - and FCC started granting these applications in June

EAS Issues

- EAS Minimum Security requirements go into effect on **September 29** for all stations – secure your entire program chain
 - 15-character passwords for any equipment accessible to the Internet or equivalent security standards – no repeat use of passwords, no dictionary words, use good password “hygiene”
 - Requirement to update hardware and software with any required patches
 - Firewall for all EAS equipment
 - No specifics on how it will be monitored – but if you are hacked, you likely will be asked if you completed these steps, possibly will be asked about compliance in ETRS forms too
- No nationwide test scheduled yet for 2026
- FCC doing top to bottom review of EAS system for all media
- Lots of issues with false EAS tests – required reporting when you become aware of having broadcast false EAS alerts

Things to Watch: C-Band, Equipment Security, and NEPA Changes

- Auction for more of C-Band coming – June 30, 2031 relocation of existing users (December 30, 2030 for bigger markets)
 - Reimbursements for those who were labeled as “incumbent” operators during prior repack
- FCC Concerns about equipment not made in US – creates “Covered List” to prevent use of equipment made overseas – could affect some equipment used by broadcasters (routers, drones, power inverters already covered and new additions coming)
- FCC plans vote this month on changes to NEPA review processes:
 - Making clear that only towers requiring ASRs need Environmental Assessments
 - Streamlining public comment process and FCC processing of objections
 - Considering when Historical Review is necessary

Delete Delete Delete

- FCC wants to get rid of outdated regulatory burdens
- Thousands of proposals filed for changing all sorts of rules – including technical rules
- But so far, mostly deletion of rules without much substance – including ones that specified specific monitoring practices – but underlying obligations generally unchanged
- Expectation is that more substantive issues will be looked at in near future – but they take more time and the FCC has not yet asked for comments on proposals to delete many major obligations for broadcasters

Filing Windows

- FCC holding auction for new FM channels in February – applications due September 30
- FM reserved band translators for NCE stations – filing dates in November
- Calls for broader translator window in the near future
- LPTV/TV translator window referenced above

FM Technical Changes

- FCC Permits asymmetrical sideband operations if power increase on one sideband is limited – was effective in May 2025, file Form 355
 - Proposal to allow power increases by FM digital stations up to -10 dBc, or 10% of analog power – still pending – not much talk lately
- GeoBroadcast Solutions zonecasting proposal approved and effective to allow up to 3% of broadcast time on boosters to be different from main station to allow local news new targeted advertising opportunities for broadcasters
- Proposal for C4 FMs still pending – and partially morphed into proposal for Class A10 instead
 - Midway between Class A at 6 kw and C3 at 25 kw
 - Proponents think it will provide for better building penetration and more consistent signal
 - Opponents worry about more interference, including to translators
 - So far, just a Notice of Inquiry on C4 and just a request for rulemaking on A10s – need a Notice of Proposed Rulemaking before anything else happens

Lots of Enforcement Issues to Watch

- STAs when not operating, or not operating as your license says
- Lots of translator and auxiliary issues
 - Make sure stations are where they are supposed to be
 - And operating at the right power with the right antenna
 - Update auxiliaries as facilities change
- Silent stations being penalized – lose license after a year – if you are operating from unauthorized location, may count as if you were off the air
 - Notice of Violation last week for station with unmodulated carrier not doing top of hour station IDs – turn off transmitter if program feed interrupted
- Tower lights must be monitored – and issues reported to FAA– check painting too, and make sure tower registration is accurate
- AM tower site fencing issues still a problem
- Online public file rules still being enforced
- Remember to keep station log – and appoint Chief Operator in writing who reviews and signs log weekly (at least, for now...)

More Issues

- FM translator issues – fines for translators that kept operating when primary station was silent and for operating at power levels that are not authorized
- CALM Act concerns
- TV captioning issues
 - Accuracy
 - Online captioning too
- Emergency information that conveyed visually during non-news programs must be aurally conveyed on SAP channel – and information about maps and graphs needs to be provided
- General station security – ensure passwords and station networks secure - \$222,000 fine on station for indecency where suggested cause was hack by former employee into unsecured station wireless network

FCC and the Broadcast Engineer

- Plenty of issues to worry about
- Few random inspections anymore – but still plenty of penalties
- Compliance important too for sales, financings, and other station life-cycle events – so don't skimp just because FCC not routinely knocking at your door
- Still inspections on complaints – tower lighting issues real important not just for FCC, but for liability purposes too
- ABIP still important to stay in compliance
- Compliance is everyone's job

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