



PUBLIC NOTICE

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ENFORCEMENT BUREAU AFFIRMS CANCELLATION OF ADJUSTMENTS OF CIVIL MONETARY PENALTIES FOR INFLATION

The 2015 Inflation Adjustment Act requires agencies, starting in 2017, to adjust, annually, the civil monetary penalties covered thereunder, and to publish each such annual adjustment.¹ By this Public Notice, the Bureau affirms that for 2026 there will be no adjustments of civil forfeiture penalties for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Inflation Adjustment Act)² or amendments to section 1.80(b) of the Commission's rules.³

Background. The Bipartisan Budget Act of 2015 included, as section 701 thereto, the 2015 Inflation Adjustment Act, which amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101-410), to improve the effectiveness of civil monetary penalties and maintain their deterrent effect. That statute requires annual inflation adjustments for "any penalty, fine, or other sanction that . . . is for a specific monetary amount as provided by Federal law . . . or . . . has a maximum amount provided for by Federal law; and . . . is assessed or enforced by any agency pursuant to Federal law; and . . . is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts."⁴ Adjustments apply only to penalties with a specific monetary amount.⁵ The adjustments are calculated pursuant to Office of Management and Budget (OMB) guidance.⁶

Cancellation of Adjustment for Inflation. Under the 2015 Act, agencies must adjust the level of civil monetary penalties for inflation based on Consumer Price Index (CPI-U) data from October of the prior year.⁷ In 2025, CPI-U data for October were unavailable due to the lapse in appropriations beginning on September 30, 2025.⁸ On April 17, 2026, the Director of OMB issued guidance on the

¹ 1990 Inflation Adjustment Act § 4(a). *See also* Memorandum for the Heads of Executive Departments and Agencies, Cancellation of Penalty Inflation Adjustments for 2026, Regarding the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, M-26-11, at 2 (Apr. 17, 2026) (OMB Apr. 2026 Guidance), <https://www.whitehouse.gov/wp-content/uploads/2026/04/M-26-11-Cancellation-of-Penalty-Inflation-Adjustments-for-2026-Regarding-the-Federal-Civil-Penalties-Inflation-Adjustment-Act-Improvements-Act-of-2015.pdf>.

² Pub. L. No. 114-74, § 701, 129 Stat. 584, 599 (2015) (2015 Inflation Adjustment Act). The 2015 Inflation Adjustment Act amended the Federal Civil Penalties Inflation Adjustment Act of 1990, which is codified, as amended, at 28 U.S.C. § 2461 note (1990 Inflation Adjustment Act).

³ 47 CFR § 1.80(b).

⁴ 1990 Inflation Adjustment Act § 3(2). *See also* OMB Apr. 2026 Guidance at 2.

⁵ *See* OMB Apr. 2026 Guidance at 2.

⁶ 1990 Inflation Adjustment Act § 7.

⁷ *See* OMB Apr. 2026 Guidance at 1.

⁸ These data are normally produced by the Bureau of Labor Statistics. However, none were produced for October due to the lapse in funding.

cancellation of the annual inflation adjustment for 2026.⁹ OMB has instructed agencies to continue using the 2025 civil monetary penalty levels as appropriate.¹⁰ The Commission will follow OMB's guidance with respect to civil monetary penalties assessed on and after January 15, 2026.

Effective Date. June 17, 2026.

People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice).

Additional Information. For further information, contact Hunter Deeley, Chief of Staff and Deputy Bureau Chief, Enforcement Bureau, at (202) 418-2765 or e-mail at hunter.deeley@fcc.gov.

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⁹ See OMB Apr. 2026 Guidance at 2.

¹⁰ See OMB Apr. 2026 Guidance at 1-2.