



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE
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FCC AFFIRMS FORFEITURE AGAINST INFINITY FOR VIOLATION OF INDECENCY RULE

Washington, D.C. -The Federal Communications Commission today released a *Memorandum Opinion and Order* affirming a \$7,000 forfeiture penalty against Infinity Broadcasting Operations, Inc. for willfully broadcasting indecent material over Station WLLD(FM), Holmes Beach, Florida.

The Commission agreed with the Enforcement Bureau that the station's presentation of a live rap/hip-hop concert, "The Last Damn Show," included patently offensive references to oral sex, as well as other objectionable material. The Commission rejected Infinity's arguments about the sexual nature of the material, as well as its arguments about the constitutionality of the Commission's indecency standards.

Action by the Commission, March 4, 2004, by Memorandum Opinion and Order (FCC 04-48). Chairman Powell; Commissioner Abernathy; Commissioner Copps dissenting and issuing a statement; Commissioner Martin concurring and issuing a statement; Commissioner Adelstein issuing a statement.

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