

FCC FACT SHEET*
In re: Delete, Delete, Delete
Direct Final Rule – MB Docket No. 25-133

Background: The *Direct Final Rule* marks the next step in the Commission’s continuing effort to modernize the Commission’s regulatory framework and pave the way for the next generation of innovation. The “In re: Delete, Delete, Delete” proceeding launched a sweeping review aimed at eliminating outdated rules, reducing unnecessary regulatory burdens, accelerating infrastructure deployment, promoting network modernization, and spurring innovation. This *Direct Final Rule* is an important next step in following President Trump’s leadership and the Trump Administration’s decision to usher in prosperity through deregulation, as reflected in policies that President Trump included in certain Executive Orders, including Executive Order 14192 titled “Unleashing Prosperity Through Deregulation” and Executive Order 14219 titled “Ensuring Lawful Governance And Implementing The President’s ‘Department Of Government Efficiency’ Deregulatory Initiative.” The *Direct Final Rule*, if adopted, would repeal certain broadcast rules that have been identified as obsolete, outdated, or unnecessary.

What the Direct Final Rule Would Do:

- Repeal 98 rules and requirements identified that plainly no longer serve the public interest because they regulate obsolete technology, are no longer used in practice by the FCC or licensees, or are otherwise outdated or unnecessary; and
- Find prior notice and comment “unnecessary” under the Administrative Procedure Act (APA) before repealing these rules, but elect to provide an opportunity for input on that assessment, with the identified rules automatically being repealed absent any significant adverse comments in response to this Direct Final Rule.

* This document is being released as part of a “permit-but-disclose” proceeding. Any presentations or views on the subject expressed to the Commission or its staff, including by email, must be filed in MB Docket No. 25-133, which may be accessed via the Electronic Comment Filing System (<https://www.fcc.gov/ecfs/>). Before filing, participants should familiarize themselves with the Commission’s *ex parte* rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR § 1.1200 *et seq.*

¹ See, e.g., *In Re: Delete, Delete, Delete*, GN Docket No. 25-133, Public Notice, DA 25-219 (Mar. 12, 2025); *Consumer and Governmental Affairs Bureau Seeks Comment On Termination of Certain Proceedings As Dormant*, CG Docket No. 25-165, Public Notice, DA 25-367 (CGB May 2, 2025). See also *In Re: Delete, Delete, Delete*, GN Docket No. 25-133, Direct Final Rule, FCC 25-XX, at para. 4 (rel. July XX, 2025) (repealing 18 rules that govern obsolete technology, outdated marketplace conditions, expired deadlines, or repealed legal obligations pursuant to the direct final rule process) (*First Direct Final Rule*).

modifying or repealing rules.² Prior notice and comment are “unnecessary” when “the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.”³

4. We have identified 71 rule provisions, including 98 rules and requirements, that plainly no longer serve the public interest because they regulate obsolete technology,⁴ are no longer used in practice by the FCC or licensees,⁵ or are otherwise outdated or unnecessary.⁶ Applying the “good cause” standard discussed above, we conclude that prior notice and comment are unnecessary before repealing the rules identified in Appendix A.

5. *Direct Final Rule Process.* At times when the Commission has found prior notice and comment unnecessary before modifying or repealing rules, it simply adopted the relevant rule change without any additional process.⁷ We elect in this decision, however, to proceed using what is known as a

² 5 U.S.C. § 553(b)(B).

³ *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 755 (D.C. Cir. 2001).

⁴ 47 CFR § 2.1400 (specifying procedures for applying for advance approval of a subscription TV system). *See Amendment of Part 73 of the Commission's Rules to Update Television & Class A Television Broad. Station Rules, & Rules Applicable to All Broad. Stations*, MB Docket 22-227, Report and Order, 38 FCC Rcd 8706, 8737, para. 65 (2023) (“With the elimination of analog service, there are no full power television stations operating pursuant to the STV rules and LMS does not permit the filing of applications or requests to operate in an STV mode. Accordingly, these STV rules and references to them in parts 73 and 74 are obsolete and we eliminate them.”).

⁵ *Id.* §§ 73.58 (requiring that AM broadcast stations be equipped with specified types of indicating instruments); 73.258 (requiring that FM broadcast stations be equipped with specified types of indicating instruments); 73.297 (authorizing FM broadcast stations to transmit stereophonic sound programs); 73.558 (extending the requirements for indicating instruments set forth in § 73.258 to educational FM broadcast stations); 73.597 (authorizing noncommercial educational FM broadcast stations to transmit stereophonic sound programs); 73.688 (requiring that TV broadcast stations be equipped with specified types of indicating instruments); 73.1695 (listing requirements for proposed changes in transmission standards); 73.1710 (specifying that operation of a broadcast station is permitted 24 hours per day); for International Broadcast Stations, §§ 73.701(b), (d), (f)-(g), (l)-(n) (each subsection defining the terms transmitter-hour, multiple operation, sunspot number, day, reference month, maximum usable frequency, and optimum working frequency, respectively); 73.702(i)(1), (i)(3)-(4), (j)-(k) (each subsection describing the filing of technical data, multiple operation, zones of operation, multiple frequency use, and frequency availability, respectively); 73.760 (describing the showing and conditions required to justify grant of an alternate main transmitter); and 73.765 (describing how to calculate operating power).

⁶ *Id.* §§ 73.4000-4280 and 73.713(d)-(e). As stated in section 73.4000, sections 73.4005 through 73.4280 list, “solely for purpose of reference and convenience,” certain policies of the FCC. *Id.* § 73.4000. Because these rules merely list citations for various FCC and court orders, FCC rules, and federal statutes “solely for purpose of reference and convenience,” and repeal of these rules will not eliminate the policies at issue, we find that these rules are unnecessary. Moreover, we note that the documents listed in many of these rule sections do not reflect the most recent and current FCC rules and policies on the respective topics and therefore may cause confusion. *E.g., id.* §§ 73.4050 (listing certain outdated FCC orders and policy statements on children’s television programming); 73.4075 (listing a 1984 FCC order declining to adopt regulations governing loud television commercials, which are now governed by a separate rule, § 73.682); 73.4180 (listing outdated public notices on payola, plugola, and kickbacks, which are governed by a separate rule, § 73.1212); and, 73.4185 (listing an outdated political primer and outdated FCC orders on political broadcasting, which is governed by separate rules, §§ 73.1940-1944). Further, some of these rule sections are duplicative as they merely cross-reference other rules or statutes. *E.g., id.* §§ 73.4017 (cross-referencing rules specifying competitive bidding procedures for broadcast stations); and, 73.4055 (cross-referencing federal statutes on cigarette advertising); and, 73.713(d)-(e) (each subsection reminding applicants operating under program test authority to obey Commission rules and that the grant of program test authority shall not be construed as approval of the license application, respectively). In addition, four of these rules sections are simply “reserved” rule sections which include no content. *Id.* §§ 73.4082, 73.4107, 73.4108, and 73.4247.

⁷ *See, First Direct Final Rule*, at para. 5, n.8 citing *Promoting Telehealth in Rural America*, WC Docket No. 17-310, Order on Reconsideration, Second Report and Order, Order, and Second Further Notice of Proposed Rulemaking, 38

“direct final rule” process.⁸ Under a direct final rule process, rule changes are adopted without prior notice and comment, but accompanied by an opportunity for the public to file comments—and if we conclude that significant adverse comments have been filed, the relevant rule changes would not take effect until after a full notice and comment process.⁹

6. In particular, we will publish this item adopting direct final rules in the Federal Register, and allow for comment from interested parties within 10 days of Federal Register publication.¹⁰ Until 10 days after Federal Register publication, this shall be a “permit-but-disclose” proceeding for purposes of our *ex parte* rules.¹¹ Because this comment process is directed toward the discrete objective of the direct final rule process, and to avoid unwarranted delay in that process, we prohibit filings addressing the rule changes contemplated in this *Direct Final Rule* more than 10 days after Federal Register publication, absent further direction from the FCC published in the Federal Register.¹² This both accords with the purpose of the comment process for direct final rules, and is similar (though not identical) to actions the Commission has taken in other contexts to provide a defined end-point for public filings to enable the Commission to focus its attention on the submissions already before it.¹³

7. The direct final rules will be effective 60 days after Federal Register publication. To the

FCC Rcd 827, 855-56 (2023); *Modernization of Media Regulation Initiative Revisions To Cable Television Rate Regulations*, et al., MB Docket Nos. 17-105 et al., Further Notice of Proposed Rulemaking and Report and Order, 33 FCC Rcd 10549, 10569-70, para. 41 (2018); *2014 Quadrennial Regulatory Review*, et al., MB Docket Nos. 14-50 et al., Order, 36 FCC Rcd 9354, 9355, para. 2 (MB 2021); *Amendment of Section 1.80 of the Commission's Rules Implementing Section 2 of the Preventing Illegal Radio Abuse Through Enforcement Act (Pirate Act)*, Order, 35 FCC Rcd 14591, 14591, para. 1 (EB, OMD 2020); *Accelerating Wireless Broadband Deployment By Removing Barriers To Infrastructure Investment*, WT Docket No. 17-79, Order, 34 FCC Rcd 9366 (WTB 2019).

⁸ See, *First Direct Final Rule*, at para. 5, n.9 citing *Administrative Conference of the United States, Recommendation 2024-6, Public Engagement in Agency Rulemaking Under the Good Cause Exemption*, 89 Fed. Reg. 106406, 106408-09 (Dec. 30, 2024) (*ACUS Public Engagement and Good Cause Recommendation*) (discussing the “direct final rule” process); *Sierra Club v. EPA*, 99 F.3d 1551, 1554 n.4 (10th Cir. 1996) (discussing the direct final rule process used by the EPA). Although the FCC is not bound by the *ACUS Public Engagement and Good Cause Recommendation* or the practices employed by other agencies, we have considered them to the extent that they provided a useful point of reference subject to tailoring appropriate to our specific circumstances.

⁹ *ACUS Public Engagement and Good Cause Recommendation*, 89 Fed. Reg. at 10609, para. 2(d).

¹⁰ See, e.g., 47 CFR § 1.45(b) (“Oppositions to any motion, petition, or request may be filed within 10 days after the original pleading is filed.”); *id.* § 1.106(g) (“Oppositions to a petition for reconsideration shall be filed within 10 days after the petition is filed.”); *id.* § 1.1302(b) (“Any party who desires to preserve the right to appeal [a presiding officer’s ruling terminates a hearing proceeding] shall file a notice of appeal within 10 days after the ruling is released.”).

¹¹ 47 CFR § 1.1206.

¹² See 47 CFR § 1.1200(a) (“Where the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice.”). Up until that date, we find it in the public interest to continue to operate under permit-but-disclosure procedures in this regard, consistent with the status of the *In Re: Delete, Delete, Delete* proceeding more generally.

¹³ See, e.g., 47 CFR § 1.58 (adopting a quiet period for forbearance proceeding based on “[t]he prohibition in § 1.1203(a) on contacts with decisionmakers concerning matters listed in the Sunshine Agenda”). Although in this instance no filings will be permitted after 10 days from Federal Register publication, we create a limited carve-out that allows a petition for reconsideration of this action to be filed 30 days after Federal Register publication, consistent with the requirements of section 405(a) of the Communications Act. See 47 CFR § 1.4(b)(1) (date of “public notice” for non-notice and comment rulemaking proceedings required to be published in the Federal Register is the date of Federal Register publication); 47 U.S.C. § 405(a) (establishing a deadline of 30 days from public notice for petitions for reconsideration of actions by the Commission). In the event that a petition for reconsideration is filed, we will subsequently specifically address any comment process associated with such a petition.

extent that the Commission receives comments on these direct final rules, we will evaluate whether they are significant adverse comments that warrant further procedures before changing the rules. In our assessment, we plan to be guided by ACUS's recommendation that "[a]n agency should consider any comment received during direct final rulemaking to be a significant adverse comment if the comment explains why: a. The [direct final] rule would be inappropriate, including challenges to the rule's underlying premise or approach; or b. The [direct final] rule would be ineffective or unacceptable without a change."¹⁴

8. In the event that we conclude that significant adverse comments have been filed, the Media Bureau and the Office of International Affairs (OIA) will publish a timely withdrawal in the Federal Register so that this *Direct Final Rule* does not become effective until any appropriate additional procedures have been followed. If significant adverse comments are filed only with respect to a subset of the rule revisions(s) addressed by this *Direct Final Rule*, the Media Bureau or OIA, as appropriate, will withdraw the portions of the *Direct Final Rule* that were subject to significant adverse comments.

9. In the event that no comments are filed in response to this *Direct Final Rule*, we do not anticipate publishing a confirmation of the effective date in the Federal Register, but simply will allow the rule changes to take effect as originally specified. Where comments are filed, but none of the comments are significant adverse comments, where warranted by the record the Media Bureau and/or OIA will issue a Public Notice that will briefly explain why any comments filed were not determined to be significant adverse comments.¹⁵

III. PROCEDURAL MATTERS

A. Paperwork Reduction Act

10. This document does not contain new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. §§ 3501-3521. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. § 3506(c)(4).

B. Congressional Review Act

11. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget concurs, that this rule is "non-major" under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Direct Final Rule to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

C. Filing Requirements

12. Interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each

¹⁴ ACUS *Public Engagement and Good Cause Recommendation*, 89 Fed. Reg. at 106409.

¹⁵ Although the PN is a document in a non-notice and comment rulemaking proceeding, nothing in that document is required to be published in the Federal Register by the Administrative Procedure Act given that the PN is not itself adopting new or modified rules. As a result, the Media Bureau and/or OIA also need not publish the PN in the Federal Register to establish the date of "public notice" for the PN under section 1.4(b)(1) of the rules—which is limited to documents in rulemaking proceedings "required by the Administrative Procedure Act, 5 U.S.C. 552, 553, to be published in the Federal Register," 47 CFR § 1.4(b)(1)—and instead the date of public notice of the PN will be the release date. See 47 CFR § 1.4(b)(4).

filing.

- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street, NE, Washington, DC 20554.
- 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 and Governmental Affairs Bureau at (202) 418-0530.

D. Additional Information

13. For additional information, contact Kathy Berthot, Media Bureau, Policy Division, at (202) 418-7454 or Kathy.Berthot@fcc.gov, or Brandon Moss, Office of International Affairs, Global Strategy and Negotiations Division, at (202) 418-2213 or Brandon.Moss@fcc.gov.

IV. ORDERING CLAUSES

14. Accordingly, **IT IS ORDERED** that, pursuant to sections 4(i), 4(j), and 303(r) of the Communications Act, 47 U.S.C. §§ 154(i), (j), 303(r), this *Direct Final Rule* **IS ADOPTED**. Except as specified in paragraph 8, this *Direct Final Rule* shall be effective upon Federal Register publication of the rule changes set forth in Appendix A, which also shall serve as the date of public notice of that action.

15. **IT IS FURTHER ORDERED** that the amendments of the Commission's rules as set forth in Appendix A shall be effective 60 days after Federal Register publication. In the event that significant adverse comments are filed, the Media Bureau and the Office of International Affairs shall publish a timely document in the Federal Register withdrawing the rule so that the rule change does not become effective until any additional procedures have been followed. In the event that significant adverse comments are filed with respect to only a subset of the rule revisions, we direct the Media Bureau or Office of International Affairs, as appropriate, to publish a timely document in the Federal Register withdrawing only such rule so that the rule change does not become effective until any additional procedures have been followed.

16. **IT IS FURTHER ORDERED** that the Office of the Managing Director, Performance Program Management, **SHALL SEND** a copy of this *Direct Final Rule* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX A**Final Rules**

For the reasons set forth above, the Federal Communications Commission amends parts 2 and 73 of Title 47 of the Code of Federal Regulations as follows:

PART 2 – FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

1. The authority citation for part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

Subpart M [Removed and Reserved]

2. Remove and reserve subpart M, consisting of § 2.1400.

PART 73 – Radio Broadcast Services

3. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

Subpart A – AM Broadcast Stations**§ 73.58 [Removed]**

4. Remove § 73.58.

Subpart B – FM Broadcast Stations**§ 73.258 [Removed]**

5. Remove § 73.258.

§ 73.297 [Removed]

6. Remove § 73.297.

Subpart D – Noncommercial Educational FM Broadcast Stations**§ 73.558 [Removed]**

7. Remove § 73.558.

§ 73.597 [Removed]

8. Remove § 73.597.

Subpart E – Television Broadcast Stations**§ 73.688 [Removed]**

9. Remove § 73.688.

Subpart F – International Broadcast Stations

§ 73.701 [Amended]

10. Amend § 73.701 by removing and reserving paragraphs (b), (d), (f), (g), and (l) through (n).

§ 73.702 [Amended]

11. Amend § 73.702 by removing and reserving paragraphs (i)(1), (i)(3) and (4), (j), and (k).

§ 73.713 [Amended]

12. Amend § 73.713 by removing paragraphs (d) and (e).

§ 73.760 [Removed]

13. Remove § 73.760.

§ 73.765 [Removed]

14. Remove § 73.765.

Subpart H – Rules Applicable to All Broadcast Stations

§ 73.1695 [Removed]

15. Remove § 73.1695.

§ 73.1710 [Removed]

16. Remove § 73.1710.

§§ 73.4000 through 73.4280 [Removed]

17. Remove §§ 73.4000 through 73.4280.