

The FCC's Payola Rules

FCC Consumer Facts

Background

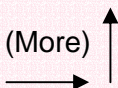
Federal law, including Federal Communications Commission (FCC) rules, requires that employees of broadcast stations, program producers, program suppliers and others who have accepted or agreed to receive payments, services, or other valuable consideration for airing material must disclose this fact to the broadcast licensee airing the material. This is required so that broadcasters have the information they need to disclose to their audiences that the material was paid for.

What the Rules Say

The Communications Act and the FCC's rules require that:

- When a broadcast licensee has received or been promised payment for the airing of program material, then, at the time of the airing, the station must disclose that fact and identify who paid for or promised to pay for the material. All sponsored material must be explicitly identified at the time of broadcast as paid for and by whom, except when it is clear that the mention of a product or service constitutes sponsorship identification.
- Any broadcast station employee who has accepted or agreed to accept payment for the airing of program material, or the person making or promising to make the payment, must disclose this information to the station prior to the airing of the program.

(More)



What the Rules Say (cont'd.)

- Any person involved in the production or preparation of a program who receives or agrees to receive payment for the airing of program material must disclose this information. Broadcast licensees must make reasonable efforts to obtain from their employees and others they deal with for program material the information necessary to make the required sponsorship identification announcements.
- The information must be provided up the chain of production and distribution before the time of broadcast, so the station can air the required disclosure.
- These rules apply to all kinds of program material aired over radio and television stations. Some may also apply to cablecasts.



What You Can Do if You Think the Rules Have Been Violated

The FCC acknowledges that broadcasters play a critical role in providing information to the communities and audiences they serve.

If you suspect a broadcaster has violated the FCC's rules, you can file a complaint with the FCC. To assist the FCC in its review, the complaint should include the following:

- Details of the content of the broadcast;
- The date and time of the broadcast;
- Why you believe that payment or other consideration was provided, requiring the airing of a sponsorship identification announcement;
- The call sign of the broadcast station involved;
- The fact that no sponsorship identification was aired; and
- Any documents that you believe establish any of the foregoing.

You may direct your complaint, by mail, to:

Federal Communications Commission
Enforcement Bureau
Investigations and Hearings Division
445 12th St., SW, Room 4-C330
Washington, DC 20554

You may also e-mail your complaint to the FCC's Consumer & Governmental Affairs Bureau at

fccinfo@fcc.gov,

or

by telephone at

1-888-CALL-FCC
(1-888-225-5322) voice

or

1-888-TELL-FCC
(1-888-835-5322) TTY.

To assist the FCC in processing your complaint more quickly, we encourage you to make your submission in writing or by e-mail.

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For this or any other consumer publication in an alternative format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on <http://www.fcc.gov/cgb/contacts>.

This fact sheet is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

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