



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
November 6, 2006

NEWS MEDIA CONTACT:
David Fiske (202) 418-0513
Email: David.Fiske@fcc.gov

FCC ISSUES ORDER ON REMAND ADDRESSING EARLIER BROADCAST TELEVISION INDECENCY DECISIONS

Washington, D.C. – The Federal Communications Commission (FCC) today released an Order addressing several television indecency decisions that were remanded to the Commission by the United States Court of Appeals for the Second Circuit. As part of its March 15, 2006 *Omnibus Indecency Order*, the FCC originally found that the broadcasts of “The 2003 Billboard Music Awards,” “The Early Show,” “The 2002 Billboard Music Awards,” and several episodes of “NYPD Blue” were apparently indecent and profane. Penalties were not proposed, however, because of specific circumstances associated with the broadcasts.

In today’s Order, the Commission replaces its prior decisions about the above programs with new findings based on its review of affected licensee responses and public comments, and a fresh look at the issues raised by the broadcasts. Specifically, the FCC finds that the use of offensive language by participants in “The 2003 Billboard Music Awards” and “The 2002 Billboard Music Awards” was indecent and profane. The FCC also finds that the broadcast of the “S-Word” during “The Early Show” was neither indecent nor profane in this instance due to the fact that it occurred during news programming. Finally, the Commission dismisses the indecency complaint regarding the “NYPD Blue” episodes as inadequate to trigger enforcement action.

Action by the Commission, November 6, 2006, Order (FCC 06-166). Chairman Martin, Commissioners Copps, Tate, and McDowell. Commissioner Adelstein concurring in part, dissenting in part. Separate statement issued by Commissioner Adelstein.

Enforcement Bureau contact: Robert H. Ratcliffe at (202) 418-7450

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