

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

RESTATEMENT OF COMMISSION POLICY ON THE BROADCAST OF
HORSE RACING INFORMATION

The Commission has a continuing awareness of the fact that some stations broadcast horse race information and that certain of these broadcasts may raise a question as to whether the information appears likely to be of substantial use to, or is used by, persons engaged in illegal gambling activities. The broadcast of detailed horse race information prior to, during, and/or shortly after the running of particular races, or an afternoon's racing program, appears to raise a substantial question with respect to the interest served by such programing.

The Commission has questioned and will continue to question what interests have been served by stations which presently, or in the recent past, regularly broadcast programs characterized by one or more of the following practices:

1. The broadcasting of a full program of races from a race-track, simultaneously with their running;
2. Broadcasting of race results, with or without mutual prices, as soon as this information is available, or shortly thereafter;
3. Broadcasting detailed advance information about races such as track and weather conditions, post positions, jockeys, weights, probable odds, "scratches," and post times;
4. Broadcasts of horse race information sponsored by publishers of "scratch-sheets" or other publications disseminating detailed horse racing information, by touts, or other persons whose activities may result in aiding illegal gambling or furnishing information to illegal gamblers or bookmakers.

It has been and will continue to be the policy of the Commission to inquire into this subject when considering the renewal applications of licensees who appear to have engaged in the broadcast of horse racing information. Since circumstances may vary greatly in individual cases, the Commission will continue to consider each set of facts on a case-to-case basis.

Each licensee or permittee is hereby reminded of his responsibility to operate in the public interest. Programing consisting of information which appears likely to be of substantial use to, or is used by, persons engaged in illegal gambling activities cannot be considered to be broadcasting in the public interest. If the licensee or permittee is in doubt as to whether the information broadcast appears likely to be of substantial use to, or is used by, persons engaged in illegal gambling activities, inquiries should be made of local, state and federal law enforcement agencies.

Adopted November 21, 1961.