

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Amendment of Section 73.1216 of the Commission's Rules Related to Broadcast Licensee-Conducted Contests*, MB Docket No. 14-226

I enjoy a hearty contest. Be it on a field, court, park, dance floor, or even an occasional quiz show... if I know the rules, and how to keep score, I am entertained.

And I am not alone. America is a nation that loves competition. Just look at the phenomenal growth of collegiate and professional sports, lotteries, and the gaming industry. It is clear we enjoy both games of skill and games of chance.

There are scores of contests that take place in our country each year. Many are conducted over radio and television stations as a means of deepening audience engagement, raising money for charitable causes, and generating additional content. Although I do not participate in these contests for obvious reasons, the public should understand the rules of every game they are eligible to play.

I am told that lawyers are taught never to ask a question at trial if they do not know the answer. And conventional wisdom suggests that no one should enter a contest if they are unfamiliar with the rules. There is, however, a saying that goes, "you can't win, if you don't play". But I would add that, "If you're going to play the game, you should know how to win."

With that in mind, we are amending our rules today on contests conducted by licensees to make sure their material terms are more accessible to viewers and listeners.

Our basic Contest Rule, which has been in place since 1976, provides in pertinent part, that:

A licensee that broadcasts or advertises information about a contest it conducts, shall fully and accurately disclose the material terms of the contest, and shall conduct the contest substantially as announced or advertised. No contest description shall be false, misleading or deceptive with respect to any material term.... A contest is a scheme in which a prize is offered or awarded, based upon chance, diligence, knowledge or skill, to members of the public.¹

Today's item will allow licensees to meet this disclosure obligation by permitting them to make terms of any contest available on a publicly accessible website. Doing so makes sense, given today's consumption patterns, and will help interested participants find contest information they may have missed over the air in a place where they are bound to discover it: on the internet.

I want to commend my colleague, Commissioner O'Rielly, for his commitment to bringing this item to the attention of the Commission and for urging us to act expeditiously. I also applaud the Media Bureau for presenting us this morning with a winner of an item, and thank the staff for their great work.

¹ 47 C.F.R. § 73.1216.