

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS**

Re: *In the Matter of Cunningham Broadcasting Corporation, et al., Notice of Apparent Liability for Forfeiture*

I have heard from parents across the United States who consistently use one word when they describe children’s programming—“trust.” Our rules prohibit broadcasters from airing advertisements during children’s programming for products that are featured in that programming. Specifically, prohibiting these “program length commercials” codifies a specific concern Congress raised when it passed the Children’s Television Act of 1990—the commercialization of broadcast children’s programming. If anything, this rule is more important now than it was 30 years ago, particularly given the rise of online programming.

An analogy may help. If non-broadcast sources, including online outlets, are the ocean—where there may or may not be harsh waves and danger—then broadcast television is the trusted local pool. Yes, many families today may turn online for children’s programming (though, as I’ve previously discussed, this is not an option for all households, including those that still lack access to broadband at home), but there are no limits on the commercialization of non-broadcast children’s programming. Without those limits, we see content that appears designed to advertise to children—serving children targeted advertisements, and even collecting their personal information for advertising and other purposes. Thankfully, broadcast television offers a safe alternative. And not only is it the sole platform where advertising on children’s programming is regulated and limited, but that programming is available to all Americans for free over-the-air. Broadcasters must live up to their obligations to ensure that their platform continues to play this important role for our nation’s families.

Which brings us to today. The violations before us are as textbook as they come, and were conceded by the broadcasters. Here, they repeatedly aired commercials for a Hot Wheels-themed toy during a Hot Wheels-themed program. I support our action against these clear rule violations. Today, this earns these 21 broadcasters substantial fines. But my hope is that tomorrow, and in the days that follow, it motivates them—and all broadcasters, large and small—to dedicate those resources necessary to ensure compliance with this important rule.