

F.C.C. 73-595

BEFORE THE

**FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON, D.C. 20554

In Re Identification of  
SOURCE OF, OR PARTY SUPPLYING, CERTAIN }  
BROADCAST MATTER

JUNE 1, 1973.

The Commission by Commissioners Burch (Chairman), Robert E. Lee, Johnson, H. Rex Lee, Reid, Wiley and Hooks issued the following PUBLIC NOTICE:

IDENTIFICATION OF SOURCE OF, OR PARTY SUPPLYING, CERTAIN  
BROADCAST MATTER

It has long been the practice of some government departments, agencies, legislators and other parties, including private businesses and trade associations, to furnish pre-recorded material to broadcast stations, either by means of long-distance telephone or by supplying audio or video tape or film. Such actions by the parties furnishing such recorded material constitute no violation of the Communications Act.

However, allegations recently have been made that in broadcasting such material, some broadcast licensees have misled the public by identifying the source of the material as their own news correspondents and that some licensees have failed to comply with the requirements of the following Rules: Section 73.119(d) for AM stations, Section 73.289(d) for commercial FM stations, Section 73.503(d) for noncommercial educational FM stations, Section 73.654(d) for TV stations, and Section 73.621(e) for noncommercial educational TV stations. (See Appendix for text of the Rules.)

The Commission views with concern any deliberate and substantial misrepresentation to the public by a licensee, such as falsely claiming that a broadcast originates from its news correspondent, and we consider such practices as raising questions as to the qualifications of a licensee.

Further, in connection with recorded program material furnished to a licensee which involves discussion of political or controversial public issues and which is furnished as an inducement to the broadcast of such material, the Commission calls the attention of licensees to the above-cited provisions of its Rules requiring that an announcement be made that such material has been so furnished to the station.

## APPENDIX

The text of the identical Rules to which reference is made in paragraph 2 of the Public Notice relating to commercial AM, FM and TV stations follows:

(d) In the case of any political program or any program involving the discussion of public controversial issues for which any records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcasting of such program, an announcement shall be made both at the beginning and conclusion of such program on which such material or services are used that such records, transcriptions, talent, scripts, or other material or services have been furnished to such station in connection with the broadcasting of such program: Provided, however, That only one such announcement need be made in the case of any such program of 5 minutes' duration or less, either at the beginning or conclusion of the program.

The cited Rules for non-commercial educational FM and TV stations in paragraph 2 of the Public Notice provide that such noncommercial stations are subject to the provisions of the referenced Rules for commercial FM and TV stations "to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. . . ."

41 F.C.C. 2d