

Background

The Federal Communications Commission (FCC) receives numerous consumer complaints about broadcast journalism (television and radio journalism). Consumers complain that networks, stations, news reporters, and/or commentators give inaccurate or one-sided news reports or comments, fail to cover certain events, or cover events inadequately. Some consumers complain that the news has been staged or that news reports overemphasize or dramatize certain aspects of events. Other consumers object that broadcasters have announced an illness, accident, or a death of an individual before his or her family has been notified, or have in some way acted inappropriately toward the family. Consumers also complain to the FCC about the conduct (tone of voice, facial expressions, etc.) of some journalists while reporting or commenting on the news.

What Can the FCC Do?

The FCC is caught in a tug-of-war between two consumer factions: on one side, consumers have urged the FCC to set guidelines to prevent bias or distortion by networks and station licensees or to supervise the gathering, editing, and airing of news and comments; on the other side, consumers fear possible government intimidation or censorship of broadcast news operations.

The Communications Act prohibits the FCC from censoring broadcast material. Additionally, the Communications Act and the First Amendment to the Constitution prohibit any action by the FCC that would interfere with free speech in broadcasting. For example, the FCC cannot interfere with a broadcaster's selection and presentation of material for the news and/or its commentary. The FCC does, however, regulate content in some narrow areas. For example, federal law prohibits or limits the broadcast of obscene, indecent, or profane language. But the FCC must be guided by decisions of the courts in determining whether specific material may be prohibited under this law. Similarly, the FCC may penalize licensees for knowingly broadcasting false information.

What Are the Broadcasters' Responsibilities?

As public trustees, broadcasters may not intentionally distort the news. Broadcasters are responsible for deciding what their stations present to the public. The FCC has stated publicly that "rigging or slanting the news is a most heinous act against the public interest." The FCC does act to protect the public interest where it has received documented evidence of such rigging or slanting. This kind of evidence could include testimony, in writing or otherwise, from "insiders" or persons who have direct personal knowledge of an intentional falsification of the news. Of particular concern would be evidence about orders from station management to falsify the news. In the absence of such documented evidence, the FCC has stressed that it cannot intervene.

What If I Have Comments or Concerns about a Specific News Broadcast or Commentary?

All concerns or comments about a specific news broadcast or commentary should be directed to the local station and network involved, so that the people responsible for making the programming decisions can become better informed about audience opinion.

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Filing a Complaint with the FCC

Complaints regarding news distortion, rigging, or slanting can also be filed with the FCC. There is no charge for filing a complaint. Complaints must contain documented evidence in support of the allegations. For example, it is not sufficient for a complaint to allege only that a broadcast station made a mistake in reporting a news event. The complaint must include documented evidence showing deliberate misrepresentation.

You can file your complaint using an on-line complaint form found at esupport.fcc.gov/complaints.htm. You can also file your complaint with the FCC's Consumer Center by e-mailing fccinfo@fcc.gov; calling -888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, DC 20554.

What to Include in Your Complaint

The best way to provide all the information the FCC needs to process your complaint is to complete fully the on-line complaint form. When you open the on-line complaint form, you will be asked a series of questions that will take you to the particular section of the form you need to complete. If you do not use the on-line complaint form, your complaint, at a minimum, should indicate:

- your name, address, email address, and phone number where you can be reached;
- name and phone number of the company that you are complaining about and location (city and state) if the company is a cable or satellite operator;

What to Include in Your Complaint (cont'd.)

- station call sign (KDIU-FM or WZUE TV), radio station frequency (1020 or 88.5) or TV channel (13), and station location (city and state);
- network, program name, and date and time of program if you are complaining about a particular program;
- any additional details of your complaint, including time, date, and nature of the conduct or activity you are complaining about and identifying information for any companies, organizations, or individuals involved; and
- documented evidence showing deliberate misrepresentation.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau Web site at www.fcc.gov/cgb, or contact the FCC's Consumer Center using the information provided for filing a complaint.

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, visit www.fcc.gov/cgb/contacts/.

This document is for consumer education purposes only and is not intended to affect any proceedings or cases involving this subject matter or related issues.

10/16/08*

