

FCC Indecency Quiz

For every wrong answer you could be heavily fined. The maximum fine is \$325,000 for each violation, or up to a maximum of \$3,000,000 for a “continuing” violation. Revocation of the station’s license is also a risk.



TRUE OR FALSE:

Q: Under the Communications Act, air talent cannot be personally fined for indecent speech.

A: FALSE. The Communications Act permits personal liability for a violation of the indecency law.

Q: If one program contains six different indecent “utterances,” the FCC counts six violations, not just one.

A: TRUE. The FCC reserves the discretion to fine not just for the broadcast of a program containing indecent matter, but for each indecent utterance within a program.

Q: Profanity is just another word for indecency.

A: FALSE. There’s overlap between the two concepts, but the FCC insists that they’re distinct: material that isn’t indecent may still be profane. Profanity is “bad” words; indecency is “bad” concepts – mostly having to do with sexual or excretory body functions, and the body parts used in those things. On a local note, WOOL also does not allow epithets, slurs, discriminatory language, etc.

Q: Some of the infamous Seven Dirty Words are now so commonplace that they are no longer considered indecent.

A: FALSE. Plus, indecency isn't limited to any such list.

Q: A station or on-air personality won’t be fined if indecent material is bleeped.

A: FALSE. Even edited content may be found indecent if a sexual or excretory meaning can be inferred. This includes song lyrics.

Q: Indecency counts even if it is broadcast by mistake.

A: TRUE. The accidental nature of a broadcast may affect the amount of a fine, but not the fact that indecent material is broadcast.

Q: The FCC distinguishes between commercial and noncommercial stations, just as listeners do.

A: FALSE. It applies the same standard to all stations.

Q: Local community values determine whether a broadcast is indecent.

A: FALSE. The standard applied is a national standard. It is intended to reflect the values of an average listener, not the sensibilities of any individual listener or community.

Q: The FCC exempts bona fide news events and documentaries from its indecency policy.

A: FALSE. Indecency law recognizes the importance of context, but grants no absolute exemptions for news or newsworthy material.

Q: Some words are profane regardless of context.

A: TRUE. The FCC maintains that some language is “presumptively profane.”

Q: A program may be indecent even if no one is listening.

A: TRUE. The broadcast of indecent matter is prohibited regardless of actual audience. The Commission doesn't require complainants to prove that they listened.

Q: Song titles are exempt from indecency prosecution.

A: FALSE. There's no exception for song titles. Or for song lyrics.

Q: There is a limited exemption for classic songs and great literary works.

A: FALSE. Artistic merit is considered as a factor, but isn't an absolute defense.

Q: Words that can't be understood by the average listener may nonetheless be indecent.

A: TRUE. The law isn't limited to obscene, profane, or indecent material broadcast in English. This is also true of songs that are largely unintelligible.

Q: The FCC will excuse exclamations uttered by winners on a live call-in contest line, such as "Holy fuck! I won!"

A: FALSE. The FCC urges broadcasters to delay all live broadcasts.

Q: Even FCC Commissioners have a sense of humor.

A: FALSE. In the Commission's words: "It is well settled that comedy formats do not insulate otherwise indecent material."

I HAVE READ AND UNDERSTAND THIS MATERIAL.

Host Signature & Date

Parent/Guardian Signature & Date