



FCC Waives Rules Temporarily to Encourage Broadcasters to Air Local Community Events, Religious Services

April 10, 2020

On April 9, the Federal Communications Commission released a [public notice](#) announcing a limited, temporary waiver through April 30, 2020, of its rules regarding the preemption of children's television programming under specific circumstances. The FCC's waiver provides that stations need not make good preempted children's programming if the purpose of the preemption is to encourage compliance with the CDC's COVID-19 guidance and government efforts to limit gatherings and promote social distancing by broadcasting live or same-day, tape-delayed, locally produced community events, including religious services. Note that programming that airs in lieu of the children's programming must (1) be produced by the station or by another local entity and (2) air live or on the same day as the event. For example, a station is not required to reschedule children's programming that is preempted for a locally produced live or same-day religious service. While not obligated to do so, the FCC encourages stations to attempt to reschedule preempted programming when they are able to do so. Stations must continue to air notices of the preemption to viewers as required by the FCC's new children's programming rules, but the on-air notices do not need to include the date and time the program will be re-aired. Stations are encouraged to notify the public of the date and time that rescheduled programs will air.

If stations meet the waiver requirements, the preempted children's program will count toward a station's efforts to meet the FCC's license renewal processing guidelines for children's programming. Because stations may be required to demonstrate that the preemption fit within the limited scope of the waiver, we encourage stations that choose to preempt children's programming in accordance with this waiver to keep detailed records of the children's programming that is preempted and the programming that is aired in its place.

Please contact us should you have any questions about the waiver.

[Coronavirus resource hub](#)

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. This content may be considered **Attorney Advertising** and is subject to our [legal notices](#).

Key Contacts

Michael Basile Washington, DC	mdbasile@cooley.com +1 202 776 2556
Jason Rademacher Washington, DC	jrademacher@cooley.com +1 202 776 2370
Henry Wendel Washington, DC	hwendel@cooley.com +1 202 776 2943

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.