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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

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