

ALERT

# Portions of New FCC Broadcast Foreign Sponsorship Identification Requirements Go Into Effect August 15, 2024

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July 25, 2024

On August 15, 2024, portions of the Federal Communications Commission's recent amendments to its broadcast sponsorship identification requirements for leased programming provided by foreign governmental entities (FSID Rules) will go into effect.

As we explained in a previous alert, the FCC released a Second Report and Order (Second R&O) revising its FSID Rules last month.

Beginning on August 15:

- The FSID Rules will not apply to political candidate ads (i.e., the purchase of broadcast time by or on behalf of legally qualified candidates or their authorized committees), although they remain subject to the general political sponsorship identification requirements.
- The FSID Rules will apply to certain programming delivered to foreign broadcast stations under a permit issued pursuant to Section 325(c) of the Communications Act.

As was the case prior to the Second R&O, for the time being, the FSID Rules will not apply to any "traditional, short-form advertising." This includes short-form ads for commercial goods and services, which the Second R&O confirms are not covered by the rules.

The other key changes to the FSID Rules made in the Second R&O will not be effective until later. Those changes, which are further summarized in our prior alert, include: (1) expansion of the rules to cover political issue advertisements, paid public service

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## Practice Areas

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Telecom, Media & Technology  
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announcements, and advertisements for matters other than commercial goods and services, and (2) creation of a new two-option regime for licensees to satisfy their duty of inquiry under the FSID Rules in obtaining information about whether programming is sponsored by a foreign governmental entity. These changes will go into effect after the Office of Management and Budget reviews and approves them pursuant to the Paperwork Reduction Act (PRA), a process that can take many months.

Wiley is at the forefront of issues related to foreign involvement in U.S. communications businesses through our Telecom, Media & Technology (TMT), International Trade, and National Security practices, including our 20-plus year old FARA Practice. If you have any questions about compliance with the FSID Rules, or would like more information or to participate in the PRA review process, please contact one of the attorneys listed on this alert.