

Samples of CBS Written Policies and Directives Regarding Sections 317 and 507 of the  
Communications Act and Section 73.1212 of the Commission's Rules

Full compliance with FCC regulations. The sponsor is that entity paying CTS to air the paid program. All paid programming of 30 minutes duration must have the following disclosure prominently and clearly disclosed at the beginning and end: "The following [preceding] is [has been] a commercial sponsored by..." In addition, a "paid commercial" super must appear within the first 5 to 15 minutes of the program, within the next 15 to 30 minutes, and immediately before each set of instructions on how to order the product or service.

All paid programming of 60 minutes duration must, in addition to the foregoing, air a "paid commercial" super in each quarter hour of the program. CTS may require the above disclosure at other intervals, taking into account the content and length of the program. CTS may also limit the number of times ordering instructions are given.

Should it be necessary for CBS to insert any supers into a paid program, the cost will be passed along to the advertiser.

Production Standards for Supers:

All video supers should be large and clear enough to be read by the average viewer. Supers should generally adhere to the following standards:

The minimum height of supers should be:

CAPITAL and LOWER CASE LETTERS.....24 Video Scanlines  
(including lower case descending tails as in g/j/p/q)  
Proportion of supers to total picture height: 4.9%

CAPITAL LETTERS ONLY.....18 Video Scanlines  
Proportion of supers to total picture height: 3.7%

The minimum length of time a super appears on screen must be:

one line.....two seconds  
two lines.....three seconds  
three lines.....five seconds  
Supers over three lines in length are subject to editorial discretion.

Lettering should be clear and contrasting; edge-drop shadowing is encouraged when it enhances legibility.

Overall program production quality also will be a consideration in reviewing paid programming.

Advocacy in Paid Programs:

CTS does not sell paid programs for the advocacy of viewpoints on controversial issues of public importance.

CBS Eye and Station Logo:

Sent:  
To:

Tuesday, January 09, 2001 10:33 AM

Petiti, Anthony; DeHaven, Walt; Alexander, Marcellus; O'Kane, Kevin; Eaton, Jerry;  
Goldman, Ed M; Jones, Brian; Long, John; Dunlop, Mike; Danna, Linda; Hurley, Tom; Sparks,  
Kathy; Conway, Mike; McDaniel, Jan; Mauldin, Steve; Ballard, Bill; Rockford, Marv; Tucker,  
Tom; Cozen, Gary; Newman, Jay; Cuddihy, Kevin; Cash, Jeff; Phillips, Dave; Lavigne, Meg;  
Stuechell, Sue; McGinley, Patrick; Kidder, R Perry  
Severino, John C; Moczulski, John S; Rajewski, Ray; Zappala, Tom; Chacon, Barbara Ann;  
Schaefer, Greg; Sheingold, Robin H; Cheatwood, Joel; Moonves, Leslie; Briskman, Louis J;  
Siegel, Andrew J; Poser, Nicholas E; 'sk@kaisersmedialaw.com'; Jaeckel, Howard F; White,  
Ray; Lucey, Anne; Fricklas, Michael; Guitano, Anton W; Suleman, Farid; Karmazin, Mel  
Sponsor Identification---A Reminder

Subject:

Sensitivity:

Confidential

Re: Sponsor Identification - A Reminder

As you all know, Section 317 of the Communications Act and FCC Rule 73.1212 provide that whenever a station broadcasts any material for which it has received, or will receive, any money, service, or other valuable consideration, it must fully and fairly identify the entity that paid, or promised to pay, for the carriage of that material.

As a practical matter, this means that whenever you carry "paid programming", including, but not limited to, "paid religion", the sponsoring entity must be clearly identified. The magic words are "Paid For By..." or "Sponsored By..." The phrases "made possible by" or "brought to you by" are NOT sufficient. Furthermore, if the program runs five (5) minutes or longer, the sponsorship ID must run both at the beginning and end of the program.

If you have questions or comments, please call me or your station lawyer. Please circulate this e-mail to those individuals at the station with a need to know. Thank you.....mpm

**o:** Cheatwood, Joel; Reynolds, Fred G  
**Cc:** Sheingold, Richard A; Guitano, Anton W; Siegel, Andrew J; Poser, Nicholas E; 'sk@kaisemedialaw.com'; White, Ray  
**Subject:** RE: Ask The Experts

There are really multiple issues here: The Sponsor ID requirements of the Communications Act.  
The disclaimer that the views/advice expressed are not those of the station, etc.  
The more generic issue of separation of news content/talent and paid programming.

With respect to the FCC issue, in January, 2001, I sent out an e-mail to every station and group management, reminding them that the Communications Act requires "that whenever a station broadcasts any material for which it has received, or will receive, any money, service, or other valuable consideration, IT MUST FULLY AND FAIRLY IDENTIFY THE ENTITY THAT PAID, OR PROMISED TO PAY, FOR THE CARRIAGE OF THAT MATERIAL". The memo went on to say that "as a practical matter, this means that WHENEVER you carry 'paid programming', including, but not limited, 'paid religion', the sponsoring entity must be clearly identified. The magic words are PAID FOR BY... or SPONSORED BY....."

With respect to the liability disclaimers, my guess is that some stations employ them and some do not. I will discuss this issue with my staff today, and we will get back to you with a recommendation.  
The last issue is more a policy issue, and as such, I will defer to Fred and Joel. Not surprisingly, I have an opinion, which I will be happy to share!.....mpm

-----Original Message-----  
**From:** Cheatwood, Joel  
**Sent:** Wednesday, June 12, 2002 8:30 AM  
**To:** Reynolds, Fred G  
**Cc:** Sheingold, Richard A; Messinger, Martin P; Guitano, Anton W  
**Subject:** RE: Ask The Experts

In my opinion, the only way to protect ourselves is to clearly label "Ask the Experts" as an advertisement, both on our websites and in any on-air mentions, and remove any reference that could be construed as an endorsement by the station, like "CBS 2's Ask the Experts." At the very least I think we have to build a clearly defined wall between any program like this one and news content and news talent.

Beyond the obvious concern over the potential bad press, this issue is also a hot button with AFTRA. On more than one occasion in the past few years AFTRA has caused a public ruckus (Philadelphia/New York) because they believed stations were either forcing represented talent to "endorse" such a practice or using "experts" on air who were, in fact, advertisers who paid for the privilege.

Joel

-----Original Message-----  
**From:** Reynolds, Fred G  
**Sent:** Tuesday, June 11, 2002 10:59 PM  
**To:** Cheatwood, Joel  
**Cc:** Sheingold, Richard A; Messinger, Martin P; Guitano, Anton W  
**Subject:** RE: Ask The Experts

How do we protect ourselves from being perceived as endorsing these groups??

No amount of \$'s is worth our reputation. We need to come up with a disclaimer so the viewer is properly warned that we do not vouch for these professional's skills

-----Original Message-----  
**From:** Cheatwood, Joel  
**Sent:** Monday, June 10, 2002 2:04 PM  
**To:** Sheingold, Richard A; Reynolds, Fred G  
**Subject:** Ask The Experts

FYI - this is making the rounds.

Apparently that's the idea behind a KIRO-TV Web site feature called "Kirotv.com Experts."

Under the headline "Free advice from your local experts," kirotv.com lists individuals and companies in fields ranging from cosmetic surgery to gardening to the law. You can e-mail questions about weedy lawns, financial liability or a new nose.

And you might figure this is a pretty cool thing. After all, a large newsgathering operation presumably has vetted and put together its own roster of top-notch sources.

What the Web site doesn't say, however, is that these professionals are paying KIRO-TV as much as \$1,000 a month for the privilege of being listed as experts. Nowhere is the cash relationship disclosed or the word "advertiser" used - a fact that some consider deceptive.

"Their medical experts may be experts," said Dr. John Olson, president of the King County Medical Society. "But not to expose that paid relationship between news organization and physician is something we find reprehensible."

Medical Society officials were upset enough to send a letter to KIRO general manager John Woodin voicing concern and calling the concealment of the payments "unethical."

KIRO has not responded to the letter. Woodin didn't return my phone calls. This isn't just a case of a third-place station struggling to curry advertisers. Revenue-hungry TV stations across the country increasingly use advertisers to provide information, without always disclosing the paid relationship.

For newscasters, the dilemma is contained in a familiar formula. Since the only thing still local about most local stations is the newscast, it's become the main source of marketing. A newscast with a fine reputation inevitably finds its good image used for many advertising purposes.

At the same time, the station's newsroom - to preserve that integrity - must be careful that gimmicks such as an "experts" Web feature or an infomercial "special" don't get confused with genuine news. It isn't easy, especially as stations go into uncharted territory.

KIRO, for instance, attempts a disclaimer on its "experts" Web site section. A small-print advisory that's easily overlooked states, "Information on this page is provided by the expert, not KIRO7. KIRO7 does not endorse any expert nor is it responsible for information provided by its experts."

To which one might say, huh?

"It's an oxymoron," said Dr. Curran Smith, a Seattle-based cosmetic surgeon. "Of course, they're endorsing us. They're calling us experts."

Smith is one of kiro.com's advertisers and has an impressive list of medical credentials, including a decades-long affiliation with the University of Washington.

He says he assumed KIRO had made it clear he is an Advertiser and was surprised to discover no such indicator: "It would be more honest to do so."

Yet Smith and some other physicians listed on kiro.com and interviewed for this story thought people would be savvy enough to recognize the advertising gist. I'm not so sure. In many minds, news and other forms of programming have completely blurred. For proof, consider that two doctors on kiro.com also remembered getting pitches from a salesman at KOMO-TV offering - for a fee - the

That possibility flirts perilously close to bearing the imprimatur of news. According to Eguchi, potential advertisers are told they might be included as an information reference during KOMO's "healthwatch" segments, which are introduced by an anchor. Even if the station disavows endorsement of the person or organization listed as a resource, the fact that KOMO's newscast has a strong reputation for health coverage may contribute to muddled perceptions.

The challenge to keep news and advertising separate has been compounded by the Internet. As TV stations surge into this multimedia, interactive, cookie-laden universe, they're having to make up new rules.

Like KIRO, top-rated KING-TV has a Web site feature where consumers may choose a specialty, browse a list of frequently-asked questions and answers, and then e-mail a professional with a query.

Yet "in the know," as king5.com's site is called, contains some important differences.

Each page states at the top - albeit in rather pale lettering - "Content provided by advertiser." The look of "in the know" is graphically distinct from the rest of king5.com and is contained in a sub-site labeled "marketplace." Finally, advertisers are called "professionals."

"We deliberately didn't use the term 'experts' because we have been cognizant about the effect that has on users," said KING general manager Dave Lougee. "This still is king5.com, and we have to walk a careful line. We can't risk implying an endorsement."

Lougee called the entire area of Web sites "tricky" and said he frequently consults with Belo Interactive, the multimedia subsidiary of KING parent Belo Corp.

TV stations are not the only news outlets liable - intentionally or not - to mix news and advertising. A recent solicitation from Seattle Magazine offered advertisers a guarantee to be included in the editorial content of a beauty issue.

But TV certainly invites the most criticism. Stations that do stories about actors who've appeared on a network show earlier in the evening, or whose anchors enthusiastically push even worthy causes on the air jumble the definition of news.

Audience confusion leads to audience suspicion. As KIRO could discover with its Web site, the station that doesn't beware may find the viewer who does.

[Back to the top](#)

[Submit a letter <http://www.tvspy.com/shoptalk.cfm?page=7>](http://www.tvspy.com/shoptalk.cfm?page=7)

**To:** Pettiti, Anthony; Schaefer, Greg; Corsini, Don; Buckman, Alan H.; Kincaid, Mike; DeHaven, Walter F.; Stanley, Rick M.; Alexander, Marcellus; Fein, Robert; O'Kane, Kevin G.; Salas, Phillip W.; Braet, Jerry R.; Wilkerson, Stephen L.; Collins-Pearson, Julie D.; Goldman, Ed M.; Turner, Al N.; Fitzpatrick, Kevin; Jones, Brian P.; Meade, Melba F.; LaVigne, Meg M.; Canejo, Tom P.; Danna, Linda M.; Sparks, Kathy; Dean, Patricia A.; LaSpina, Renee J.; Dittmer, Dean E.; Conway, Mike C.; Ralewski, Mike R.; Mauldin, Steve; Hernandez, Desi; Novorro, Jill; Rockford, Mary; Edwards, Lynne; Tucker, Tom N.; Cozen, Gary; Kaplan, Bruce; Newman, Jay; Morris, David; Satterfield, John F.; Mathis, Tim M.; Cash, Jeff M.; Barthorst, Lisa M.; Phillips, Dave W.; Crawford, Kent; Parisi, Dan A.; Fagan, Harry L.; Bunnell, J. Dave; Uzelac, Peter S.; Stuechel, Sue; Helt, Wayne A.; Bergeron, Pam A.; Lowe, Jay C.; Kidder, R. Perry; Stewart, Jackie Reynolds, Fred G.; Sheingold, Richard A.; Guitano, Anton W.; Cheatwood, Joel; Zappala, Tom J.; Siegel, Andrew J.; sk@kaisermedialaw.com; White, Ray; Poser, Nicholas E.; Holliday, Susan; Williams, Sandra; Jones, Beth; Fricklas, Michael; Morrill, Mark; Jaeckel, Howard F.

**Subject:** Ask the Pros/Ask the Experts

VTSG management and the law department are reviewing the above-captioned type programming, to ensure that the stations are properly complying with the Sponsorship ID requirements of the Communications Act. We are also considering the utilization of liability disclaimer language (i.e. "the views/advice expressed are not those of the station") on air and on our websites. The third issue being reviewed relates to the more generic issue of separation of news content/talent and paid programming.

With respect to the first two issues, we have come to realize that the stations present this type programming in a number of disparate ways, which renders generic advice of little practical value. Accordingly, I am asking each station that airs "Ask the Pros", "Ask the Experts", or any local variations thereof, to contact Andy Siegel of the law department (by e-mail or phone---212-846-3419) to discuss precisely how your station utilizes this type programming. We will then be in a much better position to tailor our advice for each station individually.

Fred and I would appreciate it if you would reach out to Andy at your earliest convenience, but certainly no later than COB on Friday. We thank you in advance for your cooperation.....mpm

**Sent:** Tuesday, June 18, 2002 9:34 AM

**To:** Messinger, Martin P

**Subject:** FW: Today's Shop Talk: Ask The

Here's the original Shop Talk article. See the items in blue.

-----Original Message-----

From: Siegel, Andrew J

Sent: Sunday, June 09, 2002 12:13 AM

To: 'sk@kaisemedialaw.com'

Cc: Messinger, Martin P

Subject: Today's Shop Talk: Ask The Pros

Susan: Can we discuss how this relates to Ask The Pros on Monday?

Thanks!

Andy

-----  
KIRO Web Site Shows the Perils of Mixing News and Ads  
By Kay McFadden  
The Seattle Times

It's said that in the democracy of the Internet, everybody's an expert. But would you get your teeth capped or your breasts enlarged on that basis?

Apparently that's the idea behind a KIRO-TV Web site feature called "kirotv.com Experts."

Under the headline "Free advice from your local experts," kirotv.com lists individuals and companies in fields ranging from cosmetic surgery to gardening to the law. You can e-mail questions about weedy lawns, financial liability or a new nose.

And you might figure this is a pretty cool thing. After all, a large newsgathering operation presumably has vetted and put together its own roster of top-notch sources.

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No way, said KOMO news director Jim Tellus when told of the sales call.

"Our news is not for sale," he said. "Never in hell. Whatever this is, it's not a news program."

As it turns out, KOMO's salespeople have in mind both a Web site presence - which would be disclosed as advertiser-sponsored - and what sales manager Mike Eguchi calls a TV "possibility."

That possibility flirts perilously close to bearing the imprimatur of news. According to Eguchi, potential advertisers are told they might be included as an information reference during KOMO's "healthwatch" segments, which are introduced by an anchor. Even if the station disavows endorsement of the person or organization listed as a resource, the fact that KOMO's newscast has a strong reputation for health coverage may contribute to muddled perceptions.

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To: **DISTRIBUTION:**

M. Alexander (KYW)  
L. Barthorst (W/WHO)  
P. Bergeron (WLWC)  
J. Braet (KBHK)  
D. Bunnell (WGNT)  
T. Canedo (WUPA)  
C. Carmody (WWJ)  
J. Cash (W/WHO)  
J. Collins (KBHK)  
M. Conway (WTOG, WUPL, KAUT, KEYE)  
D. Corsini (KCBS, KCAL)  
G. Cozen (KDKA, WNPA)  
K. Crawford (KUTV)  
L. Danna (WWJ, WKBD)  
P. Dean (KSTW)  
W. DeHaven (WBBM)  
D. Dittmer (WCCO)  
L. Edwards (KCNC)  
H. Fagan (WGNT)  
R. Fein (KYW)  
K. Fitzpatrick (WSBK)  
E. Goldman (WBZ, WSBK, WLWC)  
D. Helt (KAUT)  
D. Hernandez (WFOR)  
B. Jones (KTVT, KTXA)  
B. Kaplan (KDKA, WNPA)  
P. Kidder (WFRV, WNDY, W/WHO)

M. Kincaid (KCBS, KCAL)  
R. LaSpina (WCCO)  
M. LaVigne (WUPA, WGNT)  
A. Levy (KTVT)  
J. Lowe (KEYE)  
T. Mathis (WNDY)  
S. Mauldin (WFOR, WBFS, WTVX)  
M. Meade (KTXA)  
D. Morris (WJZ)  
J. Newman (WJZ)  
K. O'Kane (WPSG)  
D. Parisi (WTVX)  
T. Petitti (WCBS)  
D. Phillips (KUTV)  
M. Rajewski (WTOG)  
M. Rockford (KCNC)  
P. Salas (WPSG)  
J. Satterfield (WNDY)  
G. Schaefer (WCBS)  
K. Sparks (KSTW)  
R. Stanley (WBBM)  
J. Stewart (WFRV)  
S. Stuecheli (KAUT)  
T. Tucker (KMAX)  
A. Turner (WBZ)  
P. Uzelac (WUPL)  
S. Wilkerson (KPIX)

cc: F. Reynolds, D. Swanson, M. Messinger, R. Sheingold, A. Gutiano, J. Cheatwood  
bcc: S. Holliday, H. Jaeckel, S. Kaiser, N. Poser, R. White

From: Andrew J. Siegel (LAW)  
To: **SEE DISTRIBUTION**  
Date: July 15, 2002

MS  
**Re: Ask The Pros / Ask The Experts Sponsorship Identification**

The purpose of this memo is to restate our policy regarding sponsorship identification, specifically as it relates to **Ask The Pros** ("ATP") and the various **Ask The Experts** programs.

Under the FCC's sponsorship identification rules, viewers are supposed to know who paid for the programming they are watching. Spots that are obvious (a Coke commercial paid for by Coke) are considered self-executing and no further disclaimer is needed. Where it is not obvious (the same Coke commercial, but paid for by McDonalds) the spot needs a "sponsored by" or "paid for by" tag.

We are mindful that part of the attraction of ATP is that it does not look like a traditional spot. However, we need to make sure it is clear that the spots are being paid for by the advertisers. To do this, in addition to any copy talking about "answering your questions," etc., we recommend that you include sell copy in the advertiser's portion of the spot. Alternatively, we could add a frame at the end of the spot which states that Ask The Pros is "Sponsored by" and include the logo or logos of the advertiser(s) in that spot.

For those stations doing Ask The Experts, a sponsor identification also needs to be made. Even though the hospital or other advertiser is named in the spots it is paying for, the copy promotes the upcoming phone bank to answer questions. Since we also refer to this as "a community service of Advertiser and Station" it is not clear that the advertiser paid for these spots. The copy should say: "Sponsored by \_\_\_\_\_ [Advertiser]" instead of "A free service from \_\_\_\_\_ Hospital and Station." If we want to also include references to this being "a community service of..." we should delete references to "Station" so that it is now "a community service of Advertiser."

Please call me or Marty if you have any questions or comments.

.o:  
Ahern, Joseph J; Preston, Fran W; Colletan, Michael; Kennedy, Brien; Conway, Mike C; Corsini, Don; Kogel, Elisa M; Cozen, Gary; Danna, Linda M; DeHaven, Walt F; Dunn, Peter; Goldman, Ed M; Kidder, R Perry; LaVigne, Meg M; Fagan, Harry L; Leone, Lew; Longinotti, Ron; Satterfield, John F; Mauldin, Steve; Maples, Bill; McDonald, Shaun A; Newman, Jay; O'Kane, Kevin G; Piette, Ed; Fabacher, Trey; Phillips, Dave W; Schneider, Gary W; Stuecheli, Sue ; Tucker, Tom N; Uzelac, Peter S; Wordlaw, Gary C Reynolds, Fred G; Swanson, Dennis; Gutano, Anton W; Remiszewski, Thomas; Cooper, Mark E; Ambrosio, Anthony G; Holliday, Susan; Lucey, Anne; Jaeckel, Howard F; White, Ray (TVC); Poser, Nicholas E; Siegel, Andrew J; sk@kaisermederalaw.com; Williams, Sandra; Jones, Beth  
Sponsorship ID - Reminder

Subject:

As you know, payola-related issues have recently received significant attention in the press, on the legislative front on Capitol Hill and at the FCC. As reported last week, Senator John McCain (R-AZ) recently sent a letter to FCC Chairman Michael Powell requesting an FCC inquiry into the practice of charging clients a fee to appear on what seems to be a regular television news interview program without adequate disclosure of the payment of consideration to appear. FCC Commissioner Michael Copps last week said the pay-for-interview TV tactic warranted "official inquiry." Later in the week, in a speech before the Federal Communications Bar Association, FCC Commissioner Jonathan Adelstein sounded a similar theme. Based on these comments, we believe that the FCC may soon focus on both revisions to and increased enforcement of its payola and plugola regulations and that Congress may hold hearings on sponsorship ID requirements in the broadcast industry. **We urge each of you to review the summary of current FCC sponsorship ID, payola and plugola regulations set forth below with ALL station personnel involved with program selection or production, and insure that your stations continue to be in strict compliance with Viacom Television Stations Group and FCC policies.**

Of course, if you have any questions, please do not hesitate to call the undersigned, or your station lawyer.

Thank you,

Nick Poser, Marty Messinger and Howard Jaeckel



payola.doc

## Reminder on FCC Sponsorship ID, Payola and Plugola Regulations

1. Generally. Television stations and program syndicators are required by law to identify any person or entity who directly or indirectly provides consideration in return for the broadcast of any program or other material. This sponsorship identification requirement is grounded on the principle that the public has the right to know who is attempting to influence it.

There are severe penalties for violation of the sponsorship identification rules, including criminal fines or imprisonment, as well as FCC sanctions. Accordingly, it is extremely important that all Viacom Television Stations Group (“VTSG”) employees, particularly those involved in programming and sales activities, understand and properly implement sponsorship identification requirements.

### 2. When Sponsorship Identification Announcements Must Be Made.

(a) Commercials: Although the sponsorship identification rules apply to all commercial matter, most commercials do not require an explicit disclosure that consideration has been received in return for their broadcast because that fact is evident from their content and presentation. Specifically, no separate sponsorship identification announcement is required when it is clear that a broadcast is a commercial and the commercial contains the sponsor’s corporate or trade name or the name of the product itself.

On the other hand, a separate sponsorship identification is required, even for commercials, where the sponsor’s identity is not clearly evident from the advertisement. The FCC has ruled that “teaser” ads must include a separate sponsorship identification announcement. A “teaser” spot is usually designed to arouse the curiosity of the public, creating anticipation of a forthcoming “pay-off” advertisement revealing the spot’s meaning and purpose. Such advertising campaigns must include a sponsorship identification in each teaser, even though the teasers do not in themselves directly identify or promote a specific product.

(b) Special Types of Paid Advertising: VTSG stations must provide sponsorship identification announcements for all advertisements purchased by a governmental entity or agency, even if the government entity’s or agency’s name appears in the advertisement. These announcements are required to enable the public to differentiate between announcements made as a public

purchases time to promote goods or services sold by its members. For example, commercials touting the benefits of drinking milk, paid for by the American Dairy Association, must identify the sponsor. In the absence of sponsorship identification, the listening audience may improperly perceive that such commercials are public service announcements.

(c) **Station Promotions:** VTSG stations may advertise their own promotional events -- such as concerts -- as long as they identify their own role as a promoter or co-promoter of the event. Failure to include such an announcement may leave the station open to charges of "plugola". See Section 5 below.

(d) **Scheduled Programs; Barter:** The sponsorship identification rules apply not only to spot advertisements, but also to all entertainment and non-entertainment programs. If a person or entity provides a station with consideration in return for the broadcast of a program, a sponsorship identification announcement must be made. Programming which is provided at no charge, or at a nominal charge, must include an identification of the party providing the programming. Under the sponsorship identification rules, providing a program for free constitutes the furnishing of consideration. Where the station receives programming in exchange for advertising time on the station -- i.e., a barter transaction -- no identification announcement is required for the program so long as the value of the advertising time is more than nominal.

(e) **Products or Services Provided for Free or at Nominal Cost:** The FCC has ruled that a sponsorship identification announcement is not required when services or goods are provided to a station or producer without charge or for a nominal fee solely for use in a program, or as a loan during program production. For example, no announcement is required where an automobile manufacturer donates a car to be given away on a game show, even though the car is incidentally identified in describing the prize. However, an announcement would be required if the name of the car or the manufacturer were repeated gratuitously, or emphasized in a manner not reasonably related to the car's use as a prize. In addition, if an employee of the station makes personal use of a product or service beyond legitimate program or production use, the donor must be identified.

Finally, a sponsorship identification announcement is required if a station or producer (or an employee of either) has been paid (or

**3. Announcement Requirements.** FCC rules require that sponsorship identification announcements: (1) state that the program or other material broadcast has been "paid for" or "sponsored" either in whole or in part (whichever applies), and (2) identify the sponsor(s).

Sponsorship identification announcements must be recognizable and understandable to a majority of the listening audience. Sponsorship identification announcements aired by VTSG stations must use the words "paid for" or "sponsored by."

Under FCC rules, sponsors must be identified at either the beginning or the end of a program or announcement, with one exception. The exception applies when an individual or entity furnishes material or services for programming lasting more than five minutes that is political or involves a controversial issue. In those instances, announcements must be made **twice**: at the beginning of the program **and** at the end of the portion of the broadcast in which the materials or services were used. If a political broadcast is five minutes or less in length, only a single announcement is required, and can be made at the beginning or end of the broadcast. It is VTSG policy that infomercials lasting more than five minutes also must carry sponsorship identification both at the beginning and at the end of the program.

All sponsorship identification announcements broadcast by VTSG stations must identify by name the party actually purchasing air time or furnishing broadcast matter, services or material. It is not sufficient to state simply that the announcement was paid for or sponsored by the "distributor" or "producer"; the particular sponsoring person or entity must be named in the announcement. However, identification announcements need not disclose the names of parties who act purely as agents for the party actually providing the consideration, such as advertising agencies. For example, if an agency pays a station to carry a program, but the ultimate source of the funds is an advertiser, the announcement need only identify the advertiser as the sponsor.

The FCC's regulations require licensees to exercise "reasonable diligence" to identify the sponsor of an advertisement or program. Generally, it is sufficient to inquire whether a person or entity is acting in its own behalf or as an agent for a third party. A station is not required to investigate further unless it has a reasonable basis to question the facts asserted. If further investigation is required, VTSG stations should use their best efforts to determine which party is actually providing the funds and exercising editorial control over the content of the advertisement. If the investigation does not provide information necessary to resolve the issue to station management's satisfaction, appropriate CBS counsel should be contacted.

#### **4. Special Concerns for Broadcasts Involving Political Matter or**

**Controversial Issues.** Special sponsorship identification requirements are applicable to political advertising, and to news and public affairs programming that focuses on political campaigns or controversial issues.



advertisement. Moreover, the sponsor identification in an advertisement concerning a legally qualified candidate for public office must remain on the screen for at least four seconds and be equal in size to four percent of the vertical picture height. Because compliance with the sponsorship identification rules is the station's responsibility, it must ensure that sponsorship information is provided either within the advertisement or as a separate announcement accompanying it.

Unlike other advertisements, mere mention of the name of the sponsoring organization in a political advertisement, without a statement that the broadcast was "sponsored" or "paid for" is **never** sufficient identification under FCC rules. Furthermore, when the sponsoring party is a committee or group, the announcement must make clear that it is a legal entity, not merely an informal group of individuals.

When a corporation or other organization pays for or furnishes material for broadcast involving a political campaign or a controversial issue, the station must request a list of the officers, executive committee members or directors of the relevant organization. This list must be maintained in the station's public inspection file for a period of two years.

Videotapes, production assistance, or other materials or services in connection with broadcasts involving political matters or controversial issues of public importance may sometimes be furnished by third parties free of charge. In these instances, an announcement must be made when the source of materials or services has an interest in securing the broadcast of particular facts, images or opinions that become part of a program. Announcements acknowledging acceptance of materials or services must be made even when the program in which they are used is a bona fide newscast, except when the material is printed matter, such as a press release or the advance text of a speech.

**5. Payola and Plugola.** A station may violate the sponsorship identification rules if an employee or a producer engages in "payola" or "plugola." The FCC requires stations, networks and program producers to exercise "reasonable diligence" to prevent these practices.

"Payola" occurs when a station fails to announce the receipt of something valuable in return for the inclusion of material in a broadcast. This is also known as a Section 317 violation. A classic example of payola is a payment by record promoters to a station or station employee in return for airplay of certain artists or recordings. Payola is a criminal offense, punishable by a fine of up to \$10,000 and/or imprisonment for up to one year.

"Plugola" describes a situation in which a station fails to identify an outside business interest of a station employee or program producer in the broadcast of particular materials -- e.g., the promotion of a restaurant in cross-talk between anchors when one of them has an undisclosed economic interest in the restaurant. The principal difference between payola and plugola is that payola involves a direct benefit to the station licensee or its employee in the form of a payment or favor, while plugola produces an indirect benefit in the form of business or other financial promotion.

identification requirements. A failure to disclose such payments is itself a violation of law which carries potential criminal penalties. This is also known as a Section 507 violation.

To ensure that all VTSG stations fully comply with payola and plugola prohibitions, station management is required to provide all employees involved with program selection or production with this Reminder.

ent: Wednesday, March 16, 2005 12:32 PM

To:

Leone, Lew; Corsini, Don; Kogel, Elisa M.; McClenahan, Patrick; Ahern, Joseph J; Preston, Fran W; Dunn, Peter; Fein, Robert; Longinoiti, Ron; Poitras, Steven S; Marenghi, Julio; Mauldin, Steve; Schneider, Gary W; LaVigne, Meg M; Danna, Linda M; Michell, Michael; Shreeve, Anna; Piette, Ed; Fabacher, Trey; Collieran, Michael; DeTrillo, Frank S; DeHaven, Walt F; Kucharski, Angie; Cohen, Bruno; Pike, Christopher; Newman, Jay; McDonald, Shaun A; Phillips Sr., David W; Kennedy, Brien; Erkenbrack, Jon S; Wordlaw, Gary C; Maples, Bill; Reed, Mike G; Kidder, R Perry

Cc:

Reynolds, Fred G; Swanson, Dennis; Doctor, Dianne; Guitano, Anton W; Remiszewski, Thomas; Cooper, Mark E; McClintock, Dana L; Schwartz, Gil D; Ender, Chris; Franks, Martin D; Anshell, Jonathan; Siegel, Andrew J; Poser, Nicholas E; Bonelli, Joan; Sack, David R; Jones, Beth (TVC); Lowy, Susanna M; Bongiorno, Anthony M; Jaeckel, Howard F; Altabef, Richard H; Sternberg, Jonathan I; Fricklas, Michael; Morrill, Mark; Melton, Carol; Folta, Carl; Lucey, Anne; Sussman, David; Goldberg, Ralph E; Pottash, Bruce; MARCHANT, BYRON; Williams, Sandra

Subject:

FW: NYT Article

Attachments:

Picture (Metafile)

If you didn't see it, the Times ran a long story this past Sunday on Video News Releases (VNRs). Interestingly, the article ran on page one, above the fold. As Dana suggested, they gave this story "about as much real estate as they've given any piece since the Jayson Blair mea culpa."

For your information, Dianne Doctor has already circulated the article to your news directors and their staffs.

I think it's an important subject and article and notwithstanding it's length, I commend it to you. Also, it gives me the opportunity to restate the VTSG policy in this area. **If and when, you use material from a VNR, the station must clearly disclose on air the origin of the information and identify all material provided by outside sources.**

As always, if you have any questions, please contact me, or your station lawyer. Thanks.....m.

---

**From:** Siegel, Andrew J  
**Sent:** Wednesday, March 16, 2005 11:18 AM  
**To:** Messinger, Martin P  
**Subject:** NYT Article

## Under Bush, a New Age of Prepackaged TV News

By DAVID BARSTOW and ROBIN STEIN

Published: March 13, 2005

It is the kind of TV news coverage every president covets.

"Thank you, Bush. Thank you, U.S.A.," a jubilant Iraqi-American told a camera crew in Kansas City for a segment about reaction to the fall of Baghdad. A second report told of "another success" in the Bush administration's "drive to strengthen aviation security"; the reporter called it "one of the most remarkable campaigns in aviation history." A third segment, broadcast in January, described the administration's determination to open markets for American farmers.

To a viewer, each report looked like any other 90-second segment on the local news. In fact, the federal government produced all three. The report from Kansas City was made by the State Department. The "reporter"

stations to pitch everything from headache remedies to auto insurance. In all, at least 20 federal agencies, including the Defense Department and the Census Bureau, have made and distributed hundreds of television news segments in the past four years, records and interviews show. Many were subsequently broadcast on local stations across the country without any acknowledgement of the government's role in their production.

This winter, Washington has been rolled by revelations that a handful of columnists wrote in support of administration policies without disclosing they had accepted payments from the government. But the administration's efforts to generate positive news coverage have been considerably more pervasive than previously known. At the same time, records and interviews suggest widespread complicity or negligence by television stations, given industry ethics standards that discourage the broadcast of prepackaged news segments from any outside group without revealing the source.

Federal agencies are forthright with broadcasters about the origin of the news segments they distribute. The reports themselves, though, are designed to fit seamlessly into the typical local news broadcast. In most cases, the "reporters" are careful not to state in the segment that they work for the government. Their reports generally avoid overt ideological appeals. Instead, the government's news-making apparatus has produced a quiet drumbeat of broadcasts describing a vigilant and compassionate administration.

Some reports were produced to support the administration's most cherished policy objectives, like regime change in Iraq or Medicare reform. Others focused on less prominent matters, like the administration's efforts to offer free after-school tutoring, its campaign to curb childhood obesity, its initiatives to preserve forests and wetlands, its plans to fight computer viruses, even its attempts to fight holiday drunken driving. They often feature "interviews" with senior administration officials in which questions are scripted and answers rehearsed. Critics, though, are excluded, as are any hints of mismanagement, waste or controversy.

Some of the segments were broadcast in some of nation's largest television markets, including New York, Los Angeles, Chicago, Dallas and Atlanta.

An examination of government-produced news reports offers a look inside a world where the traditional lines between public relations and journalism have become tangled, where local anchors introduce prepackaged segments with "suggested" lead-ins written by public relations experts. It is a world where government-produced reports disappear into a maze of satellite transmissions, Web portals, syndicated news programs and network feeds, only to emerge cleansed on the other side as "independent" journalism.

It is also a world where all participants benefit.

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Local affiliates are spared the expense of digging up original material. Public relations firms secure government contracts worth millions of dollars. The major networks, which help distribute the releases, collect fees from the government agencies that produce segments and the affiliates that show them. The administration, meanwhile, gets out an unfiltered message, delivered in the guise of traditional reporting.

The practice, which also occurred in the Clinton administration, is continuing despite President Bush's recent call for a clearer demarcation between journalism and government publicity efforts. "There needs to be a nice independent relationship between the White House and the press," Mr. Bush told reporters in January, explaining why his administration would no longer pay pundits to support his policies.

What is more, these officials argued, it is the responsibility of television news directors to inform viewers that a segment about the government was in fact written by the government. "Talk to the television stations that ran it without attribution," said William A. Pierce, spokesman for the Department of Health and Human Services. "This is not our problem. We can't be held responsible for their actions."

Yet in three separate opinions in the past year, the Government Accountability Office, an investigative arm of Congress that studies the federal government and its expenditures, has held that government-made news segments may constitute improper "covert propaganda" even if their origin is made clear to the television stations. The point, the office said, is whether viewers know the origin. Last month, in its most recent finding, the G.A.O. said federal agencies may not produce prepackaged news reports "that conceal or do not clearly identify for the television viewing audience that the agency was the source of those materials."

It is not certain, though, whether the office's pronouncements will have much practical effect. Although a few federal agencies have stopped making television news segments, others continue. And on Friday, the Justice Department and the Office of Management and Budget circulated a memorandum instructing all executive branch agencies to ignore the G.A.O. findings. The memorandum said the G.A.O. failed to distinguish between covert propaganda and "purely informational" news segments made by the government. Such informational segments are legal, the memorandum said, whether or not an agency's role in producing them is disclosed to viewers.

Even if agencies do disclose their role, those efforts can easily be undone in a broadcaster's editing room. Some news organizations, for example, simply identify the government's "reporter" as one of their own and then edit out any phrase suggesting the segment was not of their making.

So in a recent segment produced by the Agriculture Department, the agency's narrator ended the report by saying "In Princess Anne, Maryland, I'm Pat O'Leary reporting for the U.S. Department of Agriculture." Yet AgDay, a syndicated farm news program that is shown on some 160 stations, simply introduced the segment as being by "AgDay's Pat O'Leary." The final sentence was then trimmed to "In Princess Anne, Maryland, I'm Pat O'Leary reporting."

Brian Conrady, executive producer of AgDay, defended the changes. "We can clip 'Department of Agriculture' at our choosing," he said. "The material we get from the U.S.D.A., if we choose to air it and how we choose to air it is our choice."

### **Spreading the Word: Government Efforts and One Woman's Role**

Karen Ryan cringes at the phrase "covert propaganda." These are words for dictators and spies, and yet they have attached themselves to her like a pair of handcuffs.

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Not long ago, Ms. Ryan was a much sought-after "reporter" for news segments produced by the federal government. A journalist at ABC and PBS who became a public relations consultant, Ms. Ryan worked on about a dozen reports for seven federal agencies in 2003 and early 2004. Her segments for the Department of Health and Human Services and the Office of National Drug Control Policy were a subject of the accountability office's recent inquiries.

headline "Karen Ryan, You're a Phony," and she was the object of late-night jokes by Jon Stewart and received hate mail.

"I'm like the Marlboro man," she said in a recent interview.

In fact, Ms. Ryan was a bit player who made less than \$5,000 for her work on government reports. She was also playing an accepted role in a lucrative art form, the video news release. "I just don't feel I did anything wrong," she said. "I just did what everyone else in the industry was doing."

It is a sizable industry. One of its largest players, Medialink Worldwide Inc., has about 200 employees, with offices in New York and London. It produces and distributes about 1,000 video news releases a year, most commissioned by major corporations. The Public Relations Society of America even gives an award, the Bronze Anvil, for the year's best video news release.

Several major television networks play crucial intermediary roles in the business. Fox, for example, has an arrangement with Medialink to distribute video news releases to 130 affiliates through its video feed service, Fox News Edge. CNN distributes releases to 750 stations in the United States and Canada through a similar feed service, CNN Newsource. Associated Press Television News does the same thing worldwide with its Global Video Wire.

"We look at them and determine whether we want them to be on the feed," David M. Winstrom, director of Fox News Edge, said of video news releases. "If I got one that said tobacco cures cancer or something like that, I would kill it."

In essence, video news releases seek to exploit a growing vulnerability of television news: Even as news staffs at the major networks are shrinking, many local stations are expanding their hours of news coverage without adding reporters.

"No TV news organization has the resources in labor, time or funds to cover every worthy story," one video news release company, TVA Productions, said in a sales pitch to potential clients, adding that "90 percent of TV newsrooms now rely on video news releases."

Federal agencies have been commissioning video news releases since at least the first Clinton administration.

An increasing number of state agencies are producing television news reports, too; the Texas Parks and Wildlife Department alone has produced some 500 video news releases since 1993.

Under the Bush administration, federal agencies appear to be producing more releases, and on a broader array of topics.

A definitive accounting is nearly impossible. There is no comprehensive archive of local television news reports, as there is in print journalism, so there is no easy way to determine what has been broadcast, and when and where.

Still, several large agencies, including the Defense Department, the State Department and the Department of Health and Human Services, acknowledge expanded efforts to produce news segments. Many members of Mr. Bush's first-term cabinet appeared in such segments.

Ms. Ryan, 40, describes herself as not especially political, and certainly no Bush one-herd. She had hoped for a long career in journalism. But over time, she said, she grew dismayed by what she saw as the decline of television news - too many cut corners, too many ratings stunts.

In the end, she said, the jump to video news releases from journalism was not as far as one might expect. "It's almost the same thing," she said.

There are differences, though. When she went to interview Tommy G. Thompson, then the health and human services secretary, about the new Medicare drug benefit, it was not the usual reporter-source exchange. First, she said, he already knew the questions, and she was there mostly to help him give better, snappier answers. And second, she said, everyone involved is aware of a segment's potential political benefits.

Her Medicare report, for example, was distributed in January 2004, not long before Mr. Bush hit the campaign trail and cited the drug benefit as one of his major accomplishments.

The script suggested that local anchors lead into the report with this line: "In December, President Bush signed into law the first-ever prescription drug benefit for people with Medicare." In the segment, Mr. Bush is shown signing the legislation as Ms. Ryan describes the new benefits and reports that "all people with Medicare will be able to get coverage that will lower their prescription drug spending."

The segment made no mention of the many critics who decry the law as an expensive gift to the pharmaceutical industry. The G.A.O. found that the segment was "not strictly factual," that it contained "notable omissions" and that it amounted to "a favorable report" about a controversial program.

And yet this news segment, like several others narrated by Ms. Ryan, reached an audience of millions.

According to the accountability office, at least 40 stations ran some part of the Medicare report. Video news releases distributed by the Office of National Drug Control Policy, including one narrated by Ms. Ryan, were shown on 300 stations and reached 22 million households. According to Video Monitoring Services of America, a company that tracks news programs in major cities, Ms. Ryan's segments on behalf of the government were broadcast a total of at least 64 times in the 40 largest television markets.

Even these measures, though, do not fully capture the reach of her work. Consider the case of News 10 Now, a cable station in Syracuse owned by Time Warner. In February 2004, days after the government distributed its Medicare segment, News 10 Now broadcast a virtually identical report, including the suggested anchor lead-in. The News 10 Now segment, however, was not narrated by Ms. Ryan. Instead, the station edited out the original narration and had one of its reporters repeat the script almost word for word.

The station's news director, Sean McNamara, wrote in an e-mail message, "Our policy on provided video is to clearly identify the source of that video." In the case of the Medicare report, he said, the station believed it was produced and distributed by a major network and did not know that it had originally come from the government.

Ms. Ryan said she was surprised by the number of stations willing to run her government segments without any editing or acknowledgement of origin. As proud as she says she is of her work, she did not hesitate, even for a second, when asked if she would have broadcast one of her government reports if she were a local news director.

"Absolutely not."

professional society for broadcast news directors in the United States. Some stations go further, all but forbidding the use of any outside material, especially entire reports. And spurred by embarrassing publicity last year about Karen Ryan, the news directors association is close to proposing a stricter rule, said its executive director, Barbara Cochran.

Whether a stricter ethics code will have much effect is unclear; it is not hard to find broadcasters who are not adhering to the existing code, and the association has no enforcement powers.

The Federal Communications Commission does, but it has never disciplined a station for showing government-made news segments without disclosing their origin, a spokesman said.

Could it? Several lawyers experienced with F.C.C. rules say yes. They point to a 2000 decision by the agency, which stated, "Listeners and viewers are entitled to know by whom they are being persuaded."

In interviews, more than a dozen station news directors endorsed this view without hesitation. Several expressed disdain for the prepackaged segments they received daily from government agencies, corporations and special interest groups who wanted to use their airtime and credibility to sell or influence.

But when told that their stations showed government-made reports without attribution, most reacted with indignation. Their stations, they insisted, would never allow their news programs to be co-opted by segments fed from any outside party, let alone the government.

"They're inherently one-sided, and they don't offer the possibility for follow-up questions - or any questions at all," said Kathy Lehmann Francis, until recently the news director at WDRB, the Fox affiliate in Louisville, Ky.

Yet records from Video Monitoring Services of America indicate that WDRB has broadcast at least seven Karen Ryan segments, including one for the government, without disclosing their origin to viewers.

Mike Stutz, news director at KGTV, the ABC affiliate in San Diego, was equally opposed to putting government news segments on the air.

"It amounts to propaganda, doesn't it?" he said.

Again, though, records from Video Monitoring Services of America show that from 2001 to 2004 KGTV ran at least one government-made segment featuring Ms. Ryan, 5 others featuring her work on behalf of corporations, and 19 produced by corporations and other outside organizations. It does not appear that KGTV viewers were told the origin of these 25 segments.

"I thought we were pretty solid," Mr. Stutz said, adding that they intend to take more precautions.

Confronted with such evidence, most news directors were at a loss to explain how the segments made it on the air. Some said they were unable to find archive tapes that would help answer the question. Others promised to look into it, then stopped returning telephone messages. A few removed the segments from their Web sites, promised greater vigilance in the future or pleaded ignorance.

### **Afghanistan to Memphis: An Agency's Report Ends Up on the Air**

On Sept. 11, 2002, WHBQ, the Fox affiliate in Memphis, marked the anniversary of the 9/11 attacks with an uplifting report on how assistance from the United States was helping to liberate the women of Afghanistan.



In short, Ms. Clark's report seemed to corroborate, however modestly, a central argument of the Bush foreign policy, that forceful American intervention abroad was spreading freedom, improving lives and winning friends.

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What the people of Memphis were not told, though, was that the interviews used by WHBQ were actually conducted by State Department contractors. The contractors also selected the quotes used from those interviews and shot the video that went with the narration. They also wrote the narration, much of which Ms. Clark repeated with only minor changes.

As it happens, the viewers of WHBQ were not the only ones in the dark.

Ms. Clark, now Tish Clark Dunning, said in an interview that she, too, had no idea the report originated at the State Department. "If that's true, I'm very shocked that anyone would false report on anything like that," she said.

How a television reporter in Memphis unwittingly came to narrate a segment by the State Department reveals much about the extent to which government-produced news accounts have seeped into the broader new media landscape.

The explanation begins inside the White House, where the president's communications advisers devised a strategy after Sept. 11, 2001, to encourage supportive news coverage of the fight against terrorism. The idea, they explained to reporters at the time, was to counter charges of American imperialism by generating accounts that emphasized American efforts to liberate and rebuild Afghanistan and Iraq.

An important instrument of this strategy was the Office of Broadcasting Services, a State Department unit of 30 or so editors and technicians whose typical duties include distributing video from news conferences. But in early 2002, with close editorial direction from the White House, the unit began producing narrated feature reports, many of them promoting American achievements in Afghanistan and Iraq and reinforcing the administration's rationales for the invasions. These reports were then widely distributed in the United States and around the world for use by local television stations. In all, the State Department has produced 59 such segments.

United States law contains provisions intended to prevent the domestic dissemination of government propaganda. The 1948 Smith-Mundt Act, for example, allows Voice of America to broadcast pro-government news to foreign audiences, but not at home. Yet State Department officials said that law does not apply to the Office of Broadcasting Services. In any event, said Richard A. Boucher, a State Department spokesman: "Our goal is to put out facts and the truth. We're not a propaganda agency."

Even so, as a senior department official, Patricia Harrison, told Congress last year, the Bush administration has come to regard such "good news" segments as "powerful strategic tools" for influencing public opinion. And a review of the department's segments reveals a body of work in sync with the political objectives set forth by the White House communications team after 9/11.

In June 2003, for example, the unit produced a segment that depicted American efforts to distribute food and water to the people of southern Iraq. "After living for decades in fear, they are now receiving assistance - and building trust - with their coalition liberators," the unidentified narrator concluded.

major United States networks, which then transmit them to local affiliates.

"Once these products leave our hands, we have no control," Robert A. Tappan, the State Department's deputy assistant secretary for public affairs, said in an interview. The department, he said, never intended its segments to be shown unedited and without attribution by local news programs. "We do our utmost to identify them as State Department-produced products."

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Representatives for the networks insist that government-produced reports are clearly labeled when they are distributed to affiliates. Yet with segments bouncing from satellite to satellite, passing from one news organization to another, it is easy to see the potential for confusion. Indeed, in response to questions from The Times, Associated Press Television News acknowledged that they might have distributed at least one segment about Afghanistan to the major United States networks without identifying it as the product of the State Department. A spokesman said it could have "slipped through our net because of a sourcing error."

Kenneth W. Jobe, vice president for news at WHBQ in Memphis, said he could not explain how his station came to broadcast the State Department's segment on Afghan women. "It's the same piece, there's no mistaking it," he said in an interview, insisting that it would not happen again.

Mr. Jobe, who was not with WHBQ in 2002, said the station's script for the segment has no notes explaining its origin. But Tish Clark Dunning said it was her impression at the time that the Afghan segment was her station's version of one done first by network correspondents at either Fox News or CNN. It is not unusual, she said, for a local station to take network reports and then give them a hometown look.

"I didn't actually go to Afghanistan," she said. "I took that story and reworked it. I had to do some research on my own. I remember looking on the Internet and finding out how it all started as far as women covering their faces and everything."

At the State Department, Mr. Tappan said the broadcasting office is moving away from producing narrated feature segments. Instead, the department is increasingly supplying only the ingredients for reports - sound bites and raw video. Since the shift, he said, even more State Department material is making its way into news broadcasts.

### **Meeting a Need: Rising Budget Pressures, Ready-to-Run Segments**

WCIA is a small station with a big job in central Illinois.

Each weekday, WCIA's news department produces a three-hour morning program, a noon broadcast and three evening programs. There are plans to add a 9 p.m. broadcast. The staff, though, has been cut to 37 from 39. "We are doing more with the same," said Jim P. Gee, the news director.

Farming is crucial in Mr. Gee's market, yet with so many demands, he said, "it is hard for us to justify having a reporter just focusing on agriculture."

To fill the gap, WCIA turned to the Agriculture Department, which has assembled one of the most effective public relations operations inside the federal government. The department has a Broadcast Media and Technology Center with an annual budget of \$3.2 million that each year produces some 90 "mission messages"

unbiased, balanced and accurate coverage.

"They cover the secretary just like any other reporter," she said.

Invariably, though, their segments offer critic-free accounts of the department's policies and programs. In one report, Mr. Ellison told of the agency's efforts to help Florida clean up after several hurricanes.

"They've done a fantastic job," a grateful local official said in the segment.

More recently, Mr. Ellison reported that Mike Johanns, the new agriculture secretary, and the White House were determined to reopen Japan to American beef products. Of his new boss, Mr. Ellison reported, "He called Bush the best envoy in the world."

WCIA, based in Champaign, has run 26 segments made by the Agriculture Department over the past three months alone. Or put another way, WCIA has run 26 reports that did not cost it anything to produce.

Mr. Gee, the news director, readily acknowledges that these accounts are not exactly independent, tough-minded journalism. But, he added: "We don't think they're propaganda. They meet our journalistic standards. They're informative. They're balanced."

More than a year ago, WCIA asked the Agriculture Department to record a special sign-off that implies the segments are the work of WCIA reporters. So, for example, instead of closing his report with "I'm Bob Ellison, reporting for the U.S.D.A.," Mr. Ellison says, "With the U.S.D.A., I'm Bob Ellison, reporting for 'The Morning Show.'"

Mr. Gee said the customized sign-off helped raise "awareness of the name of our station." Could it give viewers the idea that Mr. Ellison is reporting on location with the U.S.D.A. for WCIA? "We think viewers can make up their own minds," Mr. Gee said.

Ms. Harrison, the Agriculture Department press secretary, said the WCIA sign-off was an exception. The general policy, she said, is to make clear in each segment that the reporter works for the department. In any event, she added, she did not think there was much potential for viewer confusion. "It's pretty clear to me," she said.

### **The 'Good News' People: A Menu of Reports From Military Hot Spots**

The Defense Department is working hard to produce and distribute its own news segments for television audiences in the United States.

The Pentagon Channel, available only inside the Defense Department last year, is now being offered to every cable and satellite operator in the United States. Army public affairs specialists, equipped with portable satellite transmitters, are roaming war zones in Afghanistan and Iraq, beaming news reports, raw video and interviews to TV stations in the United States. All a local news director has to do is log on to a military-financed Web site, [www.dividshub.net](http://www.dividshub.net), browse a menu of segments and request a free satellite feed.

Then there is the Army and Air Force Hometown News Service, a unit of 40 reporters and producers set up to send local stations news segments highlighting the accomplishments of military members.

"We're the 'good news' people," said Larry W. Gilliam, the unit's deputy director.

Gilliam said.

Each account is also specially tailored for local broadcast. A segment sent to a station in Topeka, Kan., would include an interview with a service member from there. If the same report is sent to Oklahoma City, the soldier is switched out for one from Oklahoma City. "We try to make the individual soldier a star in their hometown," Mr. Gilliam said, adding that segments were distributed only to towns and cities selected by the service members interviewed.

Few stations acknowledge the military's role in the segments. "Just tune in and you'll see a minute-and-a-half news piece and it looks just like they went out and did the story," Mr. Gilliam said. The unit, though, makes no attempt to advance any particular political or policy agenda, he said.

"We don't editorialize at all," he said.

Yet sometimes the "good news" approach carries political meaning, intended or not. Such was the case after the Abu Ghraib prison scandal surfaced last spring. Although White House officials depicted the abuse of Iraqi detainees as the work of a few rogue soldiers, the case raised serious questions about the training of military police officers.

A short while later, Mr. Gilliam's unit distributed a news segment, sent to 34 stations, that examined the training of prison guards at Fort Leonard Wood in Missouri, where some of the military police officers implicated at Abu Ghraib had been trained.

One of the most important lessons they learn is to treat prisoners strictly but fairly," the reporter said in the segment, which depicted a regimen emphasizing respect for detainees. A trainer told the reporter that military police officers were taught to "treat others as they would want to be treated." The account made no mention of Abu Ghraib or how the scandal had prompted changes in training at Fort Leonard Wood.

According to Mr. Gilliam, the report was unrelated to any effort by the Defense Department to rebut suggestions of a broad command failure.

"Are you saying that the Pentagon called down and said, 'We need some good publicity?'" he asked. "No, not at all."

*Anne E. Kornblut contributed reporting for this article.*