



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Cir. 1974).

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FCC FINES VIACOM AND ESPN \$1.4 MILLION FOR MISUSE OF EMERGENCY ALERT WARNINGS

Cable networks fined for transmitting warning tones in promo for “Olympus Has Fallen” movie

Washington, D.C. – The Federal Communications Commission fined Viacom and ESPN \$1.4 million for misusing the Emergency Alert System (EAS) warning tones. The cable networks transmitted EAS warning tones for several days in 2013 to promote the movie “Olympus Has Fallen,” which portrayed a terrorist attack on Washington, D.C. Broadcast or transmission of these tones outside an emergency or test violates the FCC’s laws protecting the integrity of the system.

“The public relies on this system to prepare them for real emergencies,” said Travis LeBlanc, Chief of the FCC’s Enforcement Bureau. “Our action here sends a strong signal that use of the EAS tones for non-emergency purposes presents a danger to public safety which we will not tolerate.”

The EAS is the national public warning system that requires broadcasters, cable television operators, and others to provide a method for authorities to address the public during a national or local emergency. The FCC has long prohibited the transmission of actual or simulated EAS tones in circumstances other than a real alert or an authorized test. For more information about the FCC’s EAS rules visit <http://transition.fcc.gov/eb/broadcast/eas.html>

The FCC’s Enforcement Bureau investigated reports of misuse of the EAS tones in a commercial promoting the film “Olympus Has Fallen.” The networks admitted that the commercial contained actual EAS codes and appeared multiple times on the networks.

In March 2014, the FCC proposed a total fine of \$1,930,000 against NBCUniversal, ESPN, and Viacom. NBCUniversal paid its \$530,000 fine, but ESPN and Viacom objected and requested reductions. The FCC rejected their arguments and imposed fines of \$1,120,000 against Viacom and \$280,000 against ESPN. The fines, which differ based on several factors including the number of channels involved and the number of transmissions on each channel, must be paid in 30 days.

The Forfeiture Order is available at:
https://apps.fcc.gov/edocs_public/attachmatch/DOC-331489A1.pdf