



FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau, Investigations and Hearings Division
445 12th Street, S.W., Room 3-B443
Washington, D.C. 20554

In Reply Refer to:
EB-00-IH-0278/RBP
ID# 52259

Ms. Susan Johnson

Dear Ms. Johnson:

This is in response to your complaint against radio station WLAN-FM, Lancaster, Pennsylvania, for allegedly airing indecent material on June 8, 2000, after 6:00 p.m. In support of your complaint you submitted a general description of the station's programming.

While I understand that you are offended by the programming you describe, I do not believe that any FCC regulatory action can be taken in this case. The Commission has defined indecency as material which, in context, depicts or describes sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards for the broadcast medium. In determining whether broadcast material is patently offensive we look to, among other things, the explicitness or graphic nature of the description of sexual or excretory organs or activities and whether the material dwells at length on such organs or activities. Subject matter alone does not render material indecent. Based on the information you have provided, we do not have sufficient information to determine that the material about which you complain is indecent. Accordingly, we are dismissing your complaint.

To assist you further, we include an information sheet regarding enforcement against indecent and obscene programming. The enclosure discusses the law with respect to obscene and indecent broadcasts and our enforcement procedures.

I recommend that you voice your concerns to station management, as the views of station listeners will often influence a change in programming.

Thank you for your interest in this matter.

Sincerely,

Charles W. Kelley
Chief, Investigations and Hearings Division
Enforcement Bureau

Enclosure

