

### Background

Television or radio stations holding Federal Communications Commission (FCC) licenses that broadcast or advertise information concerning a contest that they conduct must fully and accurately disclose the material terms of the contest and must conduct the contest substantially as announced or advertised. Contest descriptions may not be false, misleading, or deceptive with respect to any material term. Material terms include those factors that define the operation of the contest and affect participation in the contest.

### Lotteries

The FCC has defined a lottery as “any game, contest, or promotion that combines the elements of prize, chance, and consideration.” Federal law generally prohibits the broadcast of any advertisement or information concerning a lottery. Advertisements or information about the following activities, however, are permitted:

- lotteries conducted by a state acting under the authority of state law, where the advertisement or information is broadcast by a radio or television station licensed to a location in that state or in any other state that conducts such a lottery;
- gambling conducted by an Indian tribe pursuant to the Indian Gaming Regulatory Act; or
- lotteries that are authorized or not otherwise prohibited by the state in which they are conducted, are conducted by a not-for-profit or governmental organization, or are conducted as a promotional activity by a commercial organization and are clearly occasional and ancillary to the primary business of that organization.

Casino gambling is a form of lottery because it has the elements of prize, chance, and consideration.

### Lotteries (cont'd.)

The FCC has determined that it is permissible to broadcast truthful advertisements for lawful casino gambling, regardless of whether the state in which the broadcaster is licensed permits casino gambling.

### Solicitations of Funds

Generally, broadcasts of requests for funds intended for lawful purposes (including requests for contributions to meet station operating expenses) are permitted by federal law if the contributions are used for the announced purposes. Federal criminal law, however, prohibits fraud by wire, radio, or television, and violation of this law may lead the FCC to issue sanctions against holders of broadcast licenses.

### Filing a Complaint with the FCC

If you believe that a station has violated the contest, lottery, or funds solicitation rules, you can file a complaint with the FCC. There is no charge for filing a complaint. You can file your complaint using an on-line complaint form found at [esupport.fcc.gov/complaints.htm](http://esupport.fcc.gov/complaints.htm). You can also file your complaint with the FCC's Consumer Center by e-mailing [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov); calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

(More)



## Filing a Complaint with the FCC (cont'd.)

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554.

## What to Include in Your Complaint

The best way to provide all the information the FCC needs to process your complaint is to complete fully the on-line complaint form. When you open the on-line complaint form, you will be asked a series of questions that will take you to the particular section of the form you need to complete. If you do not use the on-line complaint form, your complaint, at a minimum, should indicate:

- your name, address, email address, and phone number where you can be reached;
- name and phone number of the company that you are complaining about and location (city and state) if the company is a cable or satellite operator;
- station call sign (KDIU-FM or WZUE TV), radio station frequency (1020 or 88.5) or TV channel (13), and station location (city and state);

## What to Include in Your Complaint (cont'd.)

- network, program name, and date and time of program if you are complaining about a particular program; and
- any additional details of your complaint, including time, date, and nature of the conduct or activity you are complaining about and identifying information for any companies, organizations, or individuals involved.

### For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau Web site at [www.fcc.gov/cgb](http://www.fcc.gov/cgb), or contact the FCC's Consumer Center using the information provided for filing a complaint.

###

*For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to [FCC504@fcc.gov](mailto:FCC504@fcc.gov).*

*To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, visit [www.fcc.gov/cgb/contacts/](http://www.fcc.gov/cgb/contacts/).*

*This document is for consumer education purposes only and is not intended to affect any proceedings or cases involving this subject matter or related issues.*

10/21/08\*

