

NPR Underwriting Guidelines

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INTRODUCTION

The following GUIDELINES FOR UNDERWRITING OF NATIONAL PROGRAM SERVICE PROGRAMS present a style and standard for the underwriting of programs for public radio. In establishing these GUIDELINES, National Public Radio has endeavored to be sensitive to the expectations of the public radio audience and to the member stations throughout the system.

Of course, these principles and procedures fall within statutory framework (47 U. S. C. 399) and the policies established by the Federal Communications Commission (FCC). On April 23, 1981, the FCC adopted the Second Report and Order (BC Docket No. 21136) with new policy concerning the non-commercial nature of public broadcasting. While on-air acknowledgment of the funding sources is still necessary (according to Section 317(a)(1) of the Communications Act of 1934, as amended), the 1981 FCC policy relaxed the restrictions associated with the acknowledgments and placed the burden on the good faith of public broadcasters to prevent abuses and to maintain the essential character of the noncommercial service.

Subsequently, in 1982 and 1984, the FCC issued reconsideration decisions which supplement the 1981 order. These decisions further clarify the underwriting policies of the Commission while reiterating its basic reliance upon licensee discretion in making judgments on permissible credit content and language. In 1986, the FCC issued a Public Notice addressing several specific underwriting issues, including use of telephone numbers. In addition, there has been a series of cases, arising out of listener complaints, in which FCC staff have interpreted and applied the underwriting policies in the context of specific on-air credits. All of these FCC materials have been used in developing the NPR Guidelines.

MANDATE OF PUBLIC RADIO

Public broadcasting is defined by the Public Broadcasting Act of 1967 and subsequent amendments. Public radio differs from commercial radio in several ways: public radio is nonprofit; public radio produces and distributes primarily educational, cultural, and informational programs; and public radio may accept gifts, grants, donations, and contributions for the production, acquisition, and promotion of those programs.

Thus, public radio is able to produce in isolation from the demands of the commercial marketplace; is mandated to produce those programs which are educational, cultural, and informational; and because of its noncommercial nature seeks contributions for the production of those programs. The solicitation of these contributions and the recognition given them are addressed in these GUIDELINES FOR UNDERWRITING OF NATIONAL PROGRAM SERVICE PROGRAMS.

GUIDELINES

The Guidelines for both the UNDERWRITING OF NATIONAL PROGRAM SERVICE and the ADVERTISING AND PROMOTION OF UNDERWRITTEN PROGRAMS are presented in two parts: Principles and Procedures. The Principles involve broad concepts that reflect the philosophy and standards for underwriting, advertising, and promotion of the National Program Service. The Principles form a background for the Procedures, which are specific rules associated with the underwriting, advertising and promotion of National Program Service programs.

UNDERWRITING PRINCIPLES AND PROCEDURES

UNDERWRITING PRINCIPLES:

PRINCIPLE A: Underwriting Sources

National Public Radio seeks underwriting representing a broad spectrum of funding sources: corporations, foundations, individuals, government agencies, and others.

All funding sources are considered under the "access" principle, which means that National Public Radio has no list of sources from which funding will not be accepted. However, potential conflict of interest and problems of listener misperception, confusion, or similar reason regarding the funder's role and/or influence on programming will be considered in accepting or rejecting underwriting.¹

PRINCIPLE B: Identification of Underwriters

- a. Underwriters of programming in the National Program Service not only are legally required to be identified (section 317(a)(1) of the Communications Act of 1934, as amended), but also deserve credit for their support of public radio.
- b. When a significant portion of a program from the National Program Service is used, underwriting acknowledgments for that program must be aired as often as National Public Radio airs the acknowledgment. See PROCEDURE NO. 3 (Placement and Usage of Acknowledgments) for amplification of "significant."
- c. All National Program Service programming, from all sources including acquisitions, is subject to these underwriter identification guidelines.
- d. On-air announcements associated with National Program Service programs are an integral part of the programs and must be broadcast.²

¹ The 1982 Task Force (comprising representatives from NPR member stations and NPR staff) discussed the possibility of not allowing underwriting by corporations whose names identify a cigarette brand or alcoholic beverage (cigarette advertising is prohibited by law) but no additional language was recommended for PRINCIPLE A.

² Procedural questions relating to this principle are addressed in the National Public Radio Membership Agreement, and in the "Procedures for Members" of the NPR membership criteria.

- e. National Public Radio management has the option of deciding on a case-by-case basis whether insubstantial contributors should receive on-air acknowledgment. National Public Radio maintains a list of all contributors, which is available for public inspection.

PRINCIPLE C. Non-Promotion of Underwriter in Acknowledgments

"Acknowledgments are strictly for identification of donors and should not promote the company, products, or services of the donor. Announcements which contain comparative or qualitative description of a product or company go beyond permissible limits." (MM Docket 21136 Second Report and Order, April 23, 1981, paragraph 37; Memorandum Opinion and Order, March 28, 1984, paragraph 13.) See PROCEDURE NO. 1 (Underwriter Identification Standards) for amplification of "permissible limits."

Acknowledgments of contributions from non-profit entities are not subject to this identification-only rule. However, NPR may impose limitations on such acknowledgments on a case-by-case basis to avoid listener confusion or misperception.

PRINCIPLE D. "Consideration Received" Rule

No message or other programming material containing language that promotes the underwriter or its business interests shall be offered at any time in exchange for the receipt, in whole or in part, of consideration to National Public Radio, its officers, directors, or employees. (Section 399 B of the Communications Act of 1934, as amended.)

PRINCIPLE E. Program Content/Editorial Control

All program content and all editorial decisions related to program distribution on the National Program Service are the sole responsibility of the National Public Radio programming staff.

PRINCIPLE F. Non-Intrusiveness of Underwriting Identification

Underwriting acknowledgments should not interrupt the flow of programs or distract from the quality or sound of the programs with which they are associated.

PRINCIPLE G. Application of Underwriting

All types of National Program Service programs may be underwritten.

PRINCIPLE H. Acquired Programs' Underwriting Acknowledgments

Programs or program segments, originally produced and funded by local or regional sources and then acquired for the National Program Service will not carry the local underwriting acknowledgments unless the local contribution forms a significant proportion of the total production cost of the national program.

PRINCIPLE I. Local Underwriting of National Program Service Programs

These principles and procedures for the underwriting of programs on the National Program Service define a style and a standard for the public radio system. Therefore stations are encouraged to conform to these GUIDELINES when acknowledging local underwriting of transmission or processing of a National Program Service program.

UNDERWRITING PROCEDURES:

PROCEDURE 1. Underwriter Identification Standards

An underwriter is to be identified by announcements that mention the legal name or recognized name of operation of the funder. In addition, National Public Radio staff may select items of information from the list below which further clarify the identity of the funder:

- a. The name of the underwriter's subsidiary or bona fide operating division, or the name of the underwriter's parent company.
- b. The underwriter's product or service line, identified by generic name or trade names. Very brief descriptive phrases may be permitted to describe the product or service line only if they are clearly objective. Usually such language would be limited to describing one of the following characteristics of the product or service line:
 - (1) origin (e.g., "French wine")
 - (2) intended use (e.g., "children's clothing")
 - (3) form of delivery to consumer or method of preparation (e.g., "bottled mineral water" or "draft beer")
 - (4) product content (e.g., "wool suit" or "fiberglass insulation") without reference to items generally assumed to be part of the product (e.g., "hamburgers with mustard, pickles and onions")
- c. The underwriter's corporate slogan if it identifies, but does not promote, the underwriter or its products. The slogan must be non-promotional and value-neutral, in that it must identify the underwriter in objective terms. Permissible non-promotional slogans often describe aspects of an underwriter's business, or characteristics of its product(s) in neutral terms.
- d. The location of the underwriter's business. This may be a city or state, or a specific address. In the alternative, it may be a generic reference to the area served (e.g., "serving the South," or "with stores from coast to coast").
- e. Length of time in business (e.g., "providing plumbing supplies for 25 years").
- f. A telephone number (including an 800 number) if used for identification purposes. The number must be stated in such a way that no call to action is implied.

All identification will be subject to review by National Public Radio management.

PROCEDURE 2. Number and Length of Acknowledgments

A maximum of four (4) underwriters may be identified in a single crediting announcement. If a program has been funded by more than this number, a system of rotation among multiple acknowledgments may be devised. Acknowledgment of each underwriter will contain the name of the underwriter plus approximately ten (10) additional words per underwriter, following the guidelines detailed in PROCEDURE NO. 1 (Underwriter Identification Standards) above. The acknowledgment must also conform to the time limit established for any crediting announcement.

PROCEDURE 3. Placement and Usage of Acknowledgments

Pursuant to the membership agreement, stations are required to broadcast all underwriting announcements provided with the National Program Service programs, or alternatively, member stations may have a staff announcer read the acknowledgments in language supplied by National Public Radio. Underwriting acknowledgments are required when 25% of a program, or 25% of each hour of a program is used.

Underwriting acknowledgments may be given near the opening and near the close of any program, as appropriate, and on or about the half-hour or one-hour mark of any program that exceeds 60 minutes in length.

Certain formats may allow variations; for example, a discrete program segment which contains material supported by a specific underwriter may warrant a separate acknowledgment in that segment rather than at the end of the program. When such modular material is distributed separately, National Public Radio will inform member stations of any particular requirements for such acknowledgments.

In point of fact, National Public Radio will always take the responsibility of informing member stations about all underwriting and underwriting acknowledgments on the National Program Service and will provide related materials as necessary.

PROCEDURE 4. Audio Logos

- a. Music or other sounds that might be associated with an underwriter's

- advertising, jingles, or products are not encouraged.
- b. Existing audio signatures used with a company's name or logo are not encouraged.
 - c. Music or other sounds associated with a National Program Service program may accompany underwriting acknowledgments.

PROCEDURE 5. Wording of Acknowledgments

- a. The following basic wording will be used for acknowledgment of underwriters:
 - "This program [or name of program] is [was] made possible [in part] with funds [contributions] provided by [name of funder plus 10 words]."
 - "Support for this program is provided by [name of funder plus 10 words]."
- b. Programs which might be considered controversial should include the following phrase before the underwriting acknowledgment:
 - "This program was produced by National Public Radio [or Station _____] in [city], which is solely responsible for its content."
- c. Some programs, such as live events, may require the following disclaimer:
 - "The views expressed on this program are not necessarily those of National Public Radio, the underwriters, or the broadcast station."

ADVERTISING/PROMOTION PRINCIPLES AND PROCEDURES

Advertising, publicity, and promotional materials and activities for underwritten programs of the National Program Service may be prepared by National Public Radio, by outside production entities from which National Public Radio acquires programs, or by the underwriters. Various forms of print, radio, television, and other activities may all be employed for such advertising and promotion, and they may occur at the local, regional, or national level. It is essential that all advertising and promotion for National Program Service programs be compatible with the noncommercial nature and image of public radio.

ADVERTISING/PROMOTION PRINCIPLES:

PRINCIPLE AA: Fairness, Equity, and Consistency

All advertising, publicity, and promotion for National Program Service programs should reflect fair, equitable, and consistent standards and procedures in the following areas:

a. Identification of Underwriters

- (1) Program advertisement, publicity, and promotion will identify underwriters whether their grants support all or part of the costs of a program or cover the costs of advertising and promotion only.
- (2) Corporate advertising or promotion of the name, product, or service of an underwriter may also present information about a radio program being underwritten by the corporation. If the underwriting is for partial support, the partial nature of the support should be made clear or the other funders also be identified.

b. Identification of Program Source

All advertising, publicity, and promotion for National Program Service programs will identify the National Public Radio member stations in the area carrying the underwritten program.

c. Local Identification of Broadcasting Stations

All local advertising, publicity, and promotion for National Program Service programs will identify National Public Radio member stations in the area carrying the underwritten program.

PRINCIPLE BB: Separation of Underwriter and Program Content

All advertising, publicity, and promotion of National Program Service programs should avoid references that imply commercial sponsorship, program ownership, or control of production or program content. Choice of wording or placement of broadcast data must make a clear separation between the subject matter of the program and the underwriter's form of business, product, or service.

PRINCIPLE CC: Coordination of Advertising and Promotional Efforts

In order to increase awareness of National Program Service programs by using limited resources in the most effective and economical means available, all advertising and publicity representatives involved in promoting National Program Service programs are urged to meet together as far as possible in advance of production and/or on-air date to avoid duplication of effort. The services of National Public Radio's Corporate Communications may be requested to aid in such coordination.

PRINCIPLE DD: Responsibility for Meeting Guidelines

The responsibility for meeting the Advertising and Promotion Principles and Procedures for Underwritten Programs on the National Program Service rests with the producing entity, which is either National Public Radio or a producer with whom National Public Radio has a program agreement. The accuracy of all program advertising, publicity, and promotional materials is the responsibility of the producer and the Corporate Communications of National Public Radio. It is required that this responsibility be so stated in any contractual agreement between a producer and an underwriter.

ADVERTISING/PROMOTION PROCEDURES:

PROCEDURE 1/1. Local Promotion — Station Initiation

If a producer, an underwriter, or NPR prepares advertising and publicity materials to be distributed to member stations for local promotion:

- a. All such materials must have adequate space for station identification (call letters, logos, and frequency) and broadcast time(s).
- b. In a market where there are several National Public Radio stations with overlapping signals, all stations that carry an underwritten program must receive the same materials.

PROCEDURE 2/2. Local Promotion — Producer/Underwriter Initiation

- a. If a producer, an underwriter, or NPR places advertisements directly in local markets:
 - (1) All stations within the Metropolitan Survey Area (as defined by ARBITRON) must be informed about such placements well in advance of the on-air date.
 - (2) All stations carrying the program within the Metropolitan Survey Area must be identified, with specific broadcast time(s) included.
- b. If a producer, an underwriter, or NPR is involved in local publicity and promotional activities:
 - (1) All stations within the Metropolitan Survey Area must be informed about such activities (e.g., press materials, celebrity tours, press parties) well in advance of the activity.
 - (2) All press materials (posters, flyers, press releases) must identify all stations within the Metropolitan Survey Area carrying the program.

PROCEDURE 3/3. National Advertising

All national print advertisements must include a phrase such as, "Check your local

NPR station for broadcast day and time in your area.”

PROCEDURE 4/4. On-Air Promotion — Public Radio and Television

On-air promotional spots prepared for broadcast by public radio or television stations must not acknowledge program underwriters or mention an underwriter's product.

PROCEDURE 5/5. On-Air Promotion — Commercial Radio and Television

On-air promotional spots prepared for commercial broadcasting, whether program specific or part of an ongoing corporate advertising effort, should conform to PRINCIPLE BB above. (Separation of Underwriter and Program Content)

PROCEDURE 6/6. Suggested Texts for Identifying Underwriters

- a. To avoid the connotation of ownership, control, or commercial sponsorship, the following is acceptable; e.g.:

“[Name of program] is made possible by a grant from _____.”

UNACCEPTABLE:

“[Name of program] is brought to you by _____.”

“[Name of program] is sponsored by _____.”

- b. If there is more than one underwriter, each should be credited in the order of funding level or in alphabetical order according to the discretion of the producer; e.g.:

“[Name of program] is made possible by grants from _____ and _____.”

or:

“[Name of program] is made possible, in part, by a grant from _____ with assistance from _____.”

- c. For partial underwriting; e.g.:

“[Name of program] is made possible, in part, by a grant from _____.”

- d. Underwriting for advertising and promotion; e.g.:

“The promotion of [Name of program] is made possible [in part] by a grant from _____.”

MANAGEMENT OF UNDERWRITING PRINCIPLES AND PROCEDURES

Within these general guidelines, a number of individual questions of judgement or interpretation may arise. They will be dealt with on a case-by-case basis by National Public Radio staff and management.

From Program License Agreement - Item 7 (See in Handbook Section 3.2)

If Member broadcasts any portion of a Program, Member shall broadcast all underwriting announcements provided with the Programming, including (a) underwriting announcements contained within newscasts supplied with the Program and (b) during on-air fundraising drives. Member shall broadcast all underwriting announcements as fed by NPR, either live or on a tape-delayed basis, or as read by a Member Station announcer in the exact language supplied by NPR, and in accordance with all Program-specific Terms and Conditions set forth in Attachment B, as well as all NPR policies, as NPR may adopt or revise them from time to time, DACS messages, or other notices specifying conditions for the broadcast of underwriting announcements.