

FCC Further Delays – But Only In Part – Broadcasters’ Obligations Under New Foreign Government-Sponsored Programming Rules

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On May 26, 2026, the Federal Communications Commission (FCC) issued a Public Notice further delaying the deadline by which broadcasters must comply with certain aspects of new rules concerning the identification of foreign government-sponsored programming (the FSID Rules). The FCC had previously set June 7, 2026, as the deadline to comply with the new FSID Rules. But now broadcasters have a further reprieve—albeit a partial one.

Since 2022, the FSID Rules have applied to all “leases” of airtime to third parties. As we explained previously, in 2024, the FCC changed the FSID Rules in two key ways, by:

- Expanding their application to certain advertising—most importantly, political issue advertising and paid public service announcements (PSAs)—while excluding advertisements for commercial goods and services that are generally exempt from sponsorship identification requirements and ads for legally qualified candidates; and
- Heightening broadcasters’ diligence efforts by requiring a choice between two FCC-specified options to satisfy the duty of inquiry into whether a foreign governmental entity is involved in broadcast content—consisting of a “certification” requirement using FCC-approved templates or a “screenshot” option.

In the FCC’s latest Public Notice, the agency confirms that broadcasters must comply with the heightened diligence requirement to obtain a certification or screenshots as to all “leases” entered into or renewed on or after June 7, 2026 (and, for recurring agreements,

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each year thereafter). However, the Public Notice delays the requirement for broadcasters to engage in the specific diligence steps for political issue advertisements, paid PSAs, and ads not generally exempt from sponsorship identification requirements under the FSID Rules until the earlier of two years or the date on which the FCC provides further notice. At the same time, a broadcaster that obtains actual knowledge that a covered advertisement or paid PSA is paid for, sponsored by, or furnished by a foreign governmental entity must include an enhanced announcement as required by the FSID Rules.

Thus:

- For all “leases” entered into or renewed on or after June 7, 2026, broadcasters must comply in full with the expanded FSID Rules.
- All advertisements and paid PSAs currently remain subject to the general requirement under long-applicable sponsorship identification rules that broadcasters conduct “reasonable diligence” to determine the identity of those sponsoring advertisements. If a station obtains actual knowledge that a foreign governmental entity is a sponsor of a covered advertisement or paid PSA, it must include the specific disclosures required under the FSID Rules. Those consist of either:
 - “The [following/preceding] programming was [sponsored, paid for, or furnished], either in whole or in part, by [name of foreign governmental entity] on behalf of [name of foreign country].” OR
 - A “conspicuous statement” pursuant to the Foreign Agents Registration Act that discloses the foreign country involved.

The Public Notice explains that its partial suspension of the new FSID Rules is “necessary for the Commission to evaluate the costs and burdens associated with these requirements to ensure that there is sufficient offsetting public benefit,” while noting that the record fails to show that foreign governmental entities are sponsoring or furnishing any political issue advertisements, ads not otherwise exempt from sponsorship identification requirements, or paid PSAs.

Wiley is at the forefront of issues related to foreign involvement in U.S. communications businesses through our Telecom, Media & Technology (TMT), International Trade, and National Security practices, including our FARA Practice. If you have any questions about the FSID Rules or related matters, please contact the attorney who regularly handles your station matters or one of the attorneys listed on this alert.