

**STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

*Re: Complaints Against Various Broadcast Licensees Regarding Their Airing of the
“Golden Globe Awards” Program*

Today, we overturn the Enforcement Bureau’s October 2003 decision and find that the use of the “F-word” during last year’s broadcast of the Golden Globes violates the federal statute. This sends a signal to the industry that the gratuitous use of such vulgar language on broadcast television will not be tolerated.

For the first time, the Commission has applied the profanity section of the statute for the broadcast of this highly offensive word, an application I fully support. The Commission has an important obligation to punish those who violate our law. In administering our authority, the Commission must afford parties fair warning and due process and not let our zeal trample these fundamental protections. Given that today's decision clearly departs from past precedent in important ways, I could not support a fine retroactively against the parties. Prospectively, parties are on notice that they could now face significant penalties for similar violations.

Going forward, as instructed by the Supreme Court, we must use our enforcement tools cautiously. As I have said since becoming a Commissioner, government action in this area can have a potential chilling effect on free speech. We guard against this by ruling when a clear line has been crossed and the government has no choice but to act.

We will continue to respect the delicate balance of protecting the interests of the First Amendment with the need to protect our children.