

MODEL REGULATORY FRAMEWORK FOR MEDIA TRANSPARENCY & FACTUAL ACCOUNTABILITY

Proposed FCC/FTC Joint Framework — 20XX

I. Purpose and Scope

1.1 Purpose

To increase public trust in journalism, ensure transparent fact-checking practices, and promote timely correction of misinformation without regulating speech content or dictating political viewpoints.

1.2 Agencies

- FCC: Broadcast licensees, cable networks, satellite providers, public file systems
- FTC: Digital publishers, online platforms, advertising, and commercial misrepresentation

1.3 Constitutional Guardrail

Nothing in this Framework authorizes the FCC or FTC to:

- Determine truth or falsity of specific news or political content
- Regulate viewpoints
- Impose content-based restrictions

All rules relate to process, transparency, and fair business practices.

II. Transparency Requirements

2.1 Public Methodology Disclosure

All news organizations and fact-checking entities must post on a publicly accessible page:

Required elements:

- How evidence is verified
- How sources are rated
- Standard of proof thresholds
- Editorial review workflow
- Distinction between reporting, analysis, opinion, and fact-checking

Enforcement:

- FCC: licensing conditions for broadcasters
 - FTC: deceptive omission (non-disclosure) enforcement for online publishers
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2.2 Source Citation Requirement

For any fact-check or major factual claim, the organization must disclose:

- All primary sources used
- Secondary sources and justifications
- Access limitations (if any)

Hyperlinks required when available.

2.3 Evidence-Interpretation-Judgment Separation

Every fact-check must be divided into:

1. Raw Evidence
2. Interpretation (the reasoning chain)
3. Final Classification

This structural separation prevents misleading “fact-checks” that are mostly opinion.

III. Corrections and Accountability

3.1 Public Correction Logs

Every news outlet and fact-checking entity must maintain:

- A timestamped list of all corrections
- The original text preserved
- The corrected version
- Explanation of what changed and why

Logs must be kept for five years.

3.2 Correction Timeliness Standard

Once an error is confirmed:

- Digital publishers: correction within 72 hours
- Broadcasters: correction must appear in a comparable broadcast slot within 72 hours
- Platforms: must notify users who interacted with incorrect content (FTC authority if commercial harm is implicated)

Failure triggers:

- FCC: public-file notice of noncompliance
- FTC: deceptive practice penalties

IV. Open-Data & Reproducibility Standards

4.1 Public Access to Non-Sensitive Data

Organizations must publish, when possible:

- Datasets
- Statistical models
- Source documents
- Audio/video transcripts

Sensitive-source exceptions apply (whistleblowers, classified information, medical information, etc.).

4.2 Reproducibility Requirement

Analytic claims must include enough detail for independent parties to reproduce the analysis.

FTC applies this under:

- Unfair or deceptive practices
 - Misrepresentation of scientific or data-driven claims
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V. Rating Standardization

5.1 Defined Labels

If a rating system is used (True/False/Misleading), labels must be:

- Publicly defined
- Based on explicit, measurable criteria

For example:

- False: contradicted by evidence
- Unsupported: insufficient evidence
- Misleading: must identify specific omission or distortion
- Unverified: evidence not yet available

Prevents ideological manipulation through ambiguous labels.

VI. Reviewer Transparency

6.1 Reviewer Credentials

Organizations must disclose for each fact-check:

- Analyst or editor's role
- Educational or professional background
- Conflict-of-interest statement

Names optional; unique reviewer ID acceptable.

VII. Independent Review System (IRS)

7.1 External Audit Requirement

The FCC and FTC will jointly recognize Accredited Independent Review Bodies (AIRBs)—universities, academic consortia, journalism schools.

Outlets must undergo:

- Random quarterly review samples

- Evaluation of methodology adherence
- Evaluation of correction timeliness
- Assessment of transparency compliance

AIRBs publish a report card for each reviewed entity.

7.2 No Content Evaluation Clause

AIRBs may not:

- Judge political neutrality
- Evaluate the “correctness” of interpretations
- Engage in editorial recommendations

Only process and transparency are evaluated.

VIII. Competitive Fact-Checking Environment

8.1 Prohibition on Exclusivity

No federal agency may designate any one fact-checker as “the” verification authority.

8.2 Marketplace Incentives

FTC/FCC may:

- Provide transparency compliance badges
- Prioritize compliant outlets for voluntary programs
- Encourage advertiser adoption of transparency standards

This fosters competition based on accuracy procedures rather than ideology.

IX. Platform Accountability (FTC Authority)

9.1 Algorithmic Transparency (meta-disclosure)

Platforms must reveal:

- Whether news is ranked algorithmically

- What factors influence ranking
- Whether fact-check labels are applied automatically or manually
- Whether political actors influence moderation decisions

No requirement to reveal trade secrets or proprietary code.

9.2 Labeling of AI-Altered Media

Platforms must require marking of:

- Deepfakes
- Synthetic audio/video
- AI-generated reconstructions presented as real

Penalties fall under FTC deceptive-misrepresentation authority.

X. Adversarial Review Panels (Optional)

10.1 Panels for Contested Claims

Outlets may submit contested issues to Voluntary Adversarial Fact Panels run by AIRBs.

Panels publish a side-by-side report, including:

- Evidence used by each group
- Competing interpretations
- Areas of disagreement

FCC/FTC do not participate or rule on content.

XI. Public File Enhancements (FCC Only)

11.1 Expanded Public File Requirements

Broadcast licensees must upload:

- Correction logs
- Methodology statements

- IRB audit summaries
- Data disclosure policies
- Conflict-of-interest statements

Noncompliance affects license renewal only for repeated failure to meet transparency obligations, not content.

XII. Enforcement

12.1 FCC Enforcement

For broadcasters/cable/satellite:

- Notices of violation
 - Public-file compliance orders
 - Fines for procedural failures
 - License renewal considerations (process only)
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12.2 FTC Enforcement

For digital publishers and platforms:

- Unfair or deceptive practices enforcement
- Civil penalties
- Consent decrees
- Reporting requirements

Any enforcement action must target deceptive processes, not viewpoints.

XIII. First Amendment Safeguard

13.1 Explicit Limitations

No rule shall be interpreted to:

- Regulate content

- Mandate truth or falsehood determinations
- Favor or disfavor political viewpoints
- Influence editorial decision-making

This Framework regulates how information is verified and corrected, not what is said.

XIV. Implementation Timeline

- Year 1: adoption of regulations, public comment, AIRB accreditation
- Year 2: rollout of transparency requirements
- Year 3: mandatory audits and reproducibility compliance
- Ongoing: periodic review of rules every 5 years