

Online Public File For Radio – Reviewing Your Obligations

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Timing of Online Public File

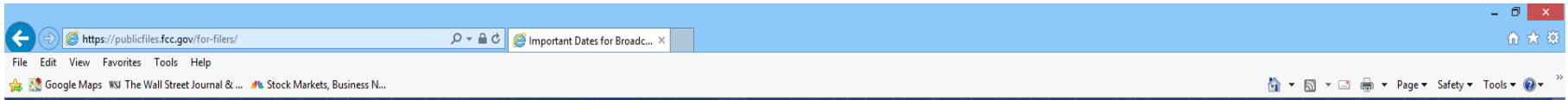
- March 1, 2018 is the deadline
- You can convert to online early and eliminate the paper file (unless you keep “old” political documents on paper)
- No need to upload “old” political file material, but all other “old” material must be uploaded
- Biggest uploading obligations – Quarterly Issues Programs Lists and Annual EEO Public File Reports back to beginning of renewal term – February 1, 2013 for Iowa; December 1, 2012 for Indiana (longer if prior renewal was not granted)
- No longer required to keep letters/emails from the public (although consider keeping positive letters and emails in private file – may be helpful for your license renewal)

Details of the Online Public File

- FCC hosts the public file on platform it provides
- Must have a link to the station's online public file on the station's website (if it has one), and name of the person at the station who can assist with public file issues
- FCC should upload applications automatically – but does not remove old applications. Station is ultimately responsible for complete and accurate file

How Do I Set it Up?

- FCC Webpage with all sorts of information:
<https://www.fcc.gov/media/online-public-inspection-file-access-and-information#block-menu-block-4>
- Need FCC Registration Number and passcodes used with other FCC filings to create separate public file passcode for station
- Then upload documents in pre-created folders supplied by the FCC template for the file
- Upload files in native language – Word or non-copy protected searchable PDF formats (machine readable)



Important Dates for Filers

All television stations have transitioned their political file material to the online file as of July 1, 2014.

Commercial radio stations in the top 50 radio markets as defined by Nielsen Audio (formerly Arbitron) that have 5 or more full-time employees must begin to begin uploading their public and political files to the Commission's online public file on [insert pertinent date]. These stations will have an additional six months in which to upload their existing public files, with the exception of the political file which radio broadcasters may, but are not required, to upload to the online public file.

All other radio stations will have until March 1, 2018 to begin uploading new public and political file material to the Commission's online file. On that date, these stations must begin uploading new public and political files to the online public file on a going-forward basis. In addition, on that date these stations must have completed uploading their existing public file material to the online public file, with the exception of the existing political file which stations are permitted, but not required, to upload to the online public file. Existing political file material not uploaded to the Commission's online file must continue to be retained in the station's local public file until the end of the two-year retention period.

Radio stations not required to transition to the online public file until March 1, 2018 may elect voluntarily to transition to online filing early. Any station that voluntarily elects to commence using the online file early must ensure that the online file contains all new public file material on a going-forward basis, including all new political file material. That is, all new public and political file material must be uploaded to the online file on a going-forward basis commencing on the date the entity elects to transition to the online file.

[Sign In to Manage Public Inspection Files](#)

To obtain passcodes for TV, FM and AM facilities, please login to the [Owner Dashboard](#) using your CORES FRN and password combination. To obtain passcodes for cable system PSIDs, please login to the [Owner Dashboard](#) using your COALS ID and password combination. SDARS and DBS facilities can login using their CORES FRN and Password on [Entity Login page](#).

Cable systems with 5,000 or more subscribers are required to begin using the online political file on March 1, 2016. On this date these system must begin uploading new political file materials to the Commission's online public file database. Cable systems with between 1,000 and 5,000 subscribers are not required to commence uploading political file material to the online file, however, until March 1, 2018. Cable systems must retain any existing political files (those in existence prior to the date the system commences uploading new political file documents to the online public file) for the period required under the FCC's rules. Systems are permitted to upload existing political file documents to the online file, but are not required to do so.

Recent Station History

CABLE entity 008680 uploaded a file 5 minutes ago in *Political Files/2017/State/Chicago/Governor/JB for Governor*

CABLE entity 003433 uploaded a file 5 minutes ago in *Political Files/2018/State/Dallas/State Senate/Angela Paxton*

FM entity KVDU uploaded a file 5 minutes ago in *Equal Employment Opportunity Records/Additional Documents/EEO Public File Reports*

CABLE entity 008680 uploaded a file 6 minutes ago in *Political Files/2017/Non-Candidate Issue Ads/Chicago/CITIZENS FOR RESPONSIBLE TAX REFORM - NCC*

CABLE entity 003433 uploaded a file 6 minutes ago in *Political Files/2018/State/Dallas/State Senate/Angela Paxton*

TV entity WESH uploaded a file 6 minutes ago in *Political Files/2018/Non-Candidate Issue Ads/All About Florida*

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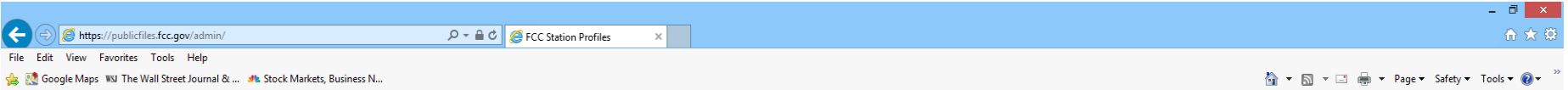
FM entity WYLD-FM uploaded a file 6 minutes ago in *Equal Employment Opportunity Records/Additional Documents/EEO Public File Reports*

CABLE entity 003074 uploaded a file 7 minutes ago in *Political Files/2018/State/Dallas/State Senate/Angela Paxton*

CABLE entity 008625 uploaded a file 7 minutes ago in *Political Files/2018/State/Pittsburgh/Governor/MANGO FOR GOVERNOR - NCC - PIT*

AM entity WODT uploaded a file 7 minutes ago in *Equal Employment Opportunity Records/Additional*





Licensing & Databases
PUBLIC INSPECTION FILES

Entity Sign In

Station Type:

FM

Facility ID:

Passcode:

Sign in

[Sign in to Owner Dashboard](#)

[How do I get a passcode?](#)

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For help or assistance please contact us at 1-877-480-3201 or 1-717-338-2824 (TTY) or you may submit requests online via e-support.

Federal Communications Commission

[Website Policies & Notices](#)

[CATEGORIES](#)

[BUREAUS & OFFICES](#)





Licensing & Databases
PUBLIC INSPECTION FILES

View Public Profile | Sign Out

Manage Public Inspection Files

History Recycle Bin Settings Developer FAQ

Basic Station Information **1**

Political Files **223**

Applications **2**

Auction Transition Consumer Certification

Citizen Agreements

Childrens TV Programming Reports **2**

Childrens Programs Commercial Limits **32**

Class A TV Continuing Eligibility

Contour Maps

DTV Education Reports

Donor Lists for NCEs

Information on Third-Party Fundraising - For NCE Stations Only

EEO Records **5**

FCC Investigations

Issues/Programs Lists **16**

Joint Sales Agreements

Letters and e-mails from the Public

Local PN Announcements

Must-Carry or Retransmission Consent **3**

Ownership Reports **2**

Political Matters and Controversial Issues Disclosures

Time Brokerage Agreements

Status: **LICENSED** [View License Authorization](#) [View Renewal Authorization](#)

Expires:

Status Date:

Facility Id:

Community of License:

Service:

Facility Type:

Licensee Address:

Main Studio Address:

More Details

- Generally, no need for back-up of FCC online public file
 - Except for political – if the FCC site goes down, you need to be able to provide paper or electronic access to political file
- Waivers
 - Will be considered if limited Internet connections or proven financial distress
 - Very small stations with fewer than 5 full-time employees may also get consideration
 - But waivers must be requested – with details of your circumstances – nothing automatic

Importance of the Online Public Inspection File

- Public file violations were the largest source of license renewal fines in last renewal window
- In reviewing TV renewals, FCC staffers found violations by looking at the online public file – so that may be a model for radio, too
- More citizen's groups reviewing online public file and filing complaints – particularly political broadcasting complaints

Until You Convert - Don't Forget About Access to the Paper File

- Maintain a public file at your studio (or, under new rules where you will no longer need a studio, at some site in your community of license), available for public inspection during “normal business hours”
- Can be kept on computer – if terminal available for anyone who visits
- Must make the file available to anyone who visits – no appointment necessary, no intimidation allowed
- Limited right to ask for identification
- Must make copies available within 7 days– reasonable charges for copying allowed
- These rules go away when you go fully active (including old political documents) with the online public file!!!!

How Long Do You Keep Documents?

- Retention periods vary
- Some kept for entire renewal term – until the license renewal is granted giving you authority to operate in the next license term
 - In some cases this can last into subsequent renewal terms (e.g. hold-ups of renewal for indecency complaints or other renewal challenge – but must keep the documents until a renewal is granted)
- FCC applications kept until grant is “final” – sometimes a challenge to compute when that is – and the online file does not do it for you

So Just What Goes in the Public File?

- FCC Materials (these should be automatically uploaded, but you need to confirm):
 - FCC license
 - Contour map
 - Pending FCC applications until action on the application is final, and related materials (but for AM 302 which is filed on paper – can manually upload or keep in paper public file until the form goes electronic)
 - FCC Ownership Report – kept until next one is filed
 - The Public and Broadcasting manual published by the FCC

FCC Related Documents You Need to Upload

- New requirement for online file – station address plus email of contact person at the station for questions
- Contracts and Agreements that need to be identified on Ownership Reports – kept as long as they are in effect
 - Most are filed with the FCC within 30 days of execution, but not electronically, so stations need to upload
 - Alternatively, you can put a list of the documents in the public file and provide the documents for inspection within 7 days, if requested
- FCC Investigation or Complaints about which the FCC notifies you - and responses to the complaints – keep until the FCC says that you can get rid of them

Quarterly Issues Programs Lists

- Biggest source of FCC fines in renewals
- Fines seem to be about \$10,000 per station if you miss more than 3 or 4 reports during a license renewal term
- The only official way to show the public interest programming that your station has broadcast
- Placed in the File on or before the 10th of January, April, July, and October
- FCC can tell when you uploaded them – late filings could be an issue for your next renewal

What's in the Quarterly Issues Programs Lists?

- The important issues facing your community in the prior quarter that you addressed in your programming
- The programs that addressed these issues
 - Title of program
 - Date and time it was broadcast
 - Duration of program or segment dealing with the issue
 - Brief description of the program
- Kept for the entire renewal period (32 of them over 8-year license period)

EEO Annual Public Inspection File Reports

- Placed in the file on the anniversary date of the renewal filing for stations in your state (August 1 for Indiana; October 1 for Iowa) by employment units with 5 or more full-time employees
- Place in file once each year
- Includes the following:
 - List of full-time jobs filled in prior year
 - Recruitment source of the person hired for each job
 - Recruitment sources used to fill these jobs
 - Contact person at each recruitment source
 - How many interviewees you had from each of the recruitment sources used
 - Supplemental efforts (non-vacancy specific activities to educate the public about broadcasting employment opportunities) – the “menu options”
- EEO Public File Reports kept for entire renewal term

Political File

- Requests by candidates to buy time
- Disposition of the request
- When time is sold:
 - Schedule – class of time and daypart in which the spots are to run
 - Price
 - Actual times that spots ran
- Other “uses” by a candidate
- Kept for two years from date document created (not two years from election)

Other “Political” File Requirements

- For third-party ads dealing with Federal candidates or Federal issues, same information goes into the public file as for a candidate ad, plus the identification of the issue addressed by the ad
- For both state and Federal issue ads, the name of the sponsor of the ad, and *the principal officers or directors of the sponsor* – state issue ads don’t need full schedule or price information in the public file

Miscellaneous Other Public File Materials

- Radio LMAs and JSAs – financial terms can be excluded – keep while agreement is in place
- Certification of public notice completion after renewal application requiring public notice – keep until renewal is granted and final
- Citizen's Agreements – rarely relevant today – only for commercial stations

Noncommercial stations

- Generally the same obligations as commercial stations
- Except:
 - Don't need citizen's agreements
 - Need to keep donor lists where donors contribute to specific program – for 2 years from the date the supported program aired – right now, must be uploaded but some appeals pending
 - New obligation to keep records of fund-raising for third-party organizations

What ***Not*** to Include in Your Public File

- Internal correspondence with station employees and management
- Letters from your lawyer sending material to go into the file or commenting on an FCC application or complaint
- Backing data for political file or EEO public file report – all of that is produced only if requested by the FCC
- Don't include checks from political buyers!

Summary

- Keep the file up to date
- Keep paper **political** files for 2 years from date of material; discard materials older than 2 years
- Watch what you put into the file – don't add extraneous stuff
- Check it regularly to clean out outdated documents
- Maintain security of passwords

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