
Special Advisory for Commercial and Noncommercial Broadcasters: Meeting the Radio and Television Public Inspection File Requirements

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*This Advisory is designed to aid commercial and noncommercial radio and television stations comply with the FCC's public inspection file rules, including the online public inspection file requirements. See 47 C.F.R. §§ 73.3526 and 73.3527. This Advisory discusses the public access, content, retention, and organizational requirements of these regulations. **Previous editions of this Advisory are obsolete, and should not be relied upon.***

For decades, the FCC required that public inspection files be kept at a station's main studio in paper or electronic form. In a 2012 push to "modernize" the broadcast disclosure rules, the FCC modified this requirement by requiring stations to make most public file information available online in a Commission-hosted database. In January of 2016, the FCC extended the online public file requirement to broadcast radio stations, starting with commercial radio stations in the Top 50 Nielsen Audio markets that have five or more full-time employees. Beginning on **June 24, 2016**, this "first wave" of radio stations must upload their public file materials created on or after that date to the online public inspection file. These stations have until **December 24, 2016** to upload all public file documents (with a few exceptions discussed below) created prior to June 24.

All other radio stations (i.e., all non-commercial educational radio stations, commercial radio stations in the Top 50 Nielsen Audio markets with fewer than five full-time employees, and all commercial radio stations located outside of the Top 50 Nielsen Audio markets) will be required to upload their public inspection file documents to the online public inspection file by **March 1, 2018**, and then use the online public file going forward. This "second wave" of radio stations may continue to maintain their public inspection files exclusively at their main studio until that time, or can voluntarily transition to the online file early. Once a station has transitioned to the online public inspection file, it must provide a link to that file from the home page of that station's website, if it has one. Beginning on **June 24, 2016**, online public inspection files will be hosted at <https://publicfiles.fcc.gov/>. Full power and Class A TV stations that already have a link on their stations' websites to the FCC's "old" public file database will need to verify that the link redirects to this new website address for online public inspection

files and update the link on their station website, if they have one, to their current EEO Public Inspection File report in the online public file, which will not be redirected automatically.

With the following two exceptions, all content and retention requirements are the same for local and online public inspection files. First, the FCC does not require station licensees to make letters and email from the public available online due to privacy concerns. As of the date of this publication, each station must continue to maintain these documents in paper or electronic form in a local file at the station's main studio. The FCC is considering eliminating altogether the requirement that correspondence from the public be kept in the public inspection file, and has released a Notice of Proposed Rulemaking proposing that change. However, until the FCC actually changes the requirement, stations must continue to retain such correspondence in a file located at their main studio.

Second, stations need only upload *political* file documentation on a going-forward basis. Thus, commercial radio stations in the Top 50 markets with five or more full-time employees that make up the "first wave" of radio stations subject to the online filing requirements may continue to maintain political file documentation that existed prior to **June 24, 2016** in their local public file until the expiration of the two-year retention period. Similarly, radio stations moving to the online file as part of the "second wave" may continue to maintain political file documentation that existed prior to **March 1, 2018** in their local public file until the expiration of the two-year retention period.

Public Access to the Public Inspection File

The FCC requires every applicant, permittee, or licensee of a full-power AM, FM, or TV station or of a Class A TV station to maintain a public inspection file. The purpose of this file, according to the Commission, is "to make information to which the public already has a right more readily available, so that the public will be encouraged to play a more active part in a dialogue with broadcast licensees." Because the public file rules are part of the FCC's commitment to responsive broadcasting, the Commission places great importance on the public's ability to readily access all of the information required to be in the public file.

Each applicant, permittee, and licensee subject to the *online* public file requirement is responsible for ensuring all required items are posted to the online file. To the extent the Commission already has access to some documents electronically, it has indicated it will automatically link the following items to the online public file: (1) authorizations; (2) applications; (3) contour maps; (4) ownership reports and related materials; (5) portions of the Equal Employment Opportunity file held by the Commission; (6) "The Public and Broadcasting: How to Get the Most Service from Your Local Station" ("The Public and Broadcasting"); (7) Letters of Inquiry and other investigative information requests from the Commission, unless otherwise directed by the inquiry itself; and (8) children's television programming reports. However, it remains the station's obligation to ensure that these items are actually in its online file. Should the online public file become unavailable to the public (for example, due to failure of the Commission's public file website), the FCC has made clear that the broadcaster is obligated to ensure the public can continue to access the *political* file at the station, through either a local paper or electronic copy. In addition, the FCC does not routinely remove these items from the online public file when the retention period is over. Stations therefore are responsible for understanding the retention periods and deciding when it is appropriate to remove an item from the online public file.

Letters and emails from the public, exempt political file documentation (i.e., political file documentation created before June 24, 2016 for first wave stations and before March 1, 2018 for second wave stations), and public file materials for second wave radio stations that choose not to transition early to the online public inspection file will continue to be maintained in a local file at the station's main studio. The main studio rule, Section 73.1125 of the FCC's Rules, provides that full power AM, FM, and TV stations may locate their main studio at one of the following locations: "(1) within the station's community of license; (2) at any location within the principal community contour of any AM, FM, or TV broadcast station licensed to the station's community of license; or

(3) within twenty-five miles from the reference coordinates of the center of its community of license as described in §73.208(a)(1)." Class A television stations must locate their main studios within their predicted Grade B contour, or, if the licensee owns multiple Class A stations whose contours are contiguous, within the predicted Grade B contour of any of the commonly owned stations. Those applying to the FCC for a new station or for a change in their community of license must keep their public inspection file at an accessible place in the proposed community of license or at their proposed main studio.

The public file rules require that the local public inspection file, or those items from it required to be kept at the main studio for a station that has transitioned to the online file, be available for inspection during "regular business hours" *including lunch-time hours*. Stations are prohibited from requiring persons seeking access to make a prior appointment or to return at a later time. The Commission has ruled that stations may refuse inspection of their public file *only* "for a limited time during a period of violence or threat of violence."

The FCC permits a station employee to remain in the room where the public file is being inspected to make certain that the visitor does not tamper with the file and its contents. The Commission, however, does not allow a station "to harass, intimidate, or otherwise discourage members of the public from inspecting its public files." Therefore, persons seeking access should be served promptly, treated courteously, and provided with a comfortable environment (table and chair) for their inspection. The FCC allows stations to obtain the name and address of any person wishing to inspect the file, but little else. For example, stations may not ask persons inspecting the public file to identify the organization they represent or their reasons for inspecting the public file. If a person refuses to give their identity, stations should probably still afford them access to the public inspection file, but will want to be particularly careful to remain in the room while the file is being inspected.

If a person wants a copy of material that is in the public inspection file, stations must provide copies of the requested documents either by using the station's own photocopying equipment, or by arranging to have copies made by an outside copy service, provided that this service does not charge more than the "going rate" in the area. In either case, requests for copies must be fulfilled within a "reasonable time," but no longer than seven days after the original request. Stations may require the requesting party to pay the reasonable cost of copying such materials except for the "The Public and Broadcasting" pamphlet, which must be provided free of charge. Stations are permitted to require guarantee of payment in advance (e.g., by requiring a deposit, obtaining credit card information, or any other reasonable method). Though materials will necessarily be missing from the public inspection file while they are being copied, the FCC has ruled that this is not a violation of its public file rules as long as the materials are returned to the file promptly after the copies are made.

Under the public file rules, applicants, permittees and licensees that maintain their main studio, and thus their public inspection file, outside the station's community of license must accept telephone requests for photocopies of documents in the file, and the station must pay the postage to mail those documents to addresses within the geographic service area of the station. However, the political file portion of the public inspection file is exempt from this telephone request requirement.

The public file rules also require that licensees "be prepared to assist members of the public in identifying the documents they may ask to be sent to them by mail, for example, by describing to the caller, if asked, the period covered by a particular report and the number of pages included in the report." To assist stations in responding to such requests, we have prepared both commercial and noncommercial "Sample Document Lists" as part of this Advisory which can be used as a guide for station staff in answering telephone inquiries. The lists must be tailored to each individual station. Of course, they will need to be updated regularly, as many items in the public inspection file change over time.

We have also included two sample notices for station visitors seeking to inspect the public inspection file. The first notice, entitled "Public Inspection File – Visitors," properly tailored, should be handed to any person seeking to inspect the public file. The receptionist should then contact the appropriate station employee to

handle the inspection. The second notice, entitled "Public Inspection File – Inspection," should also be given to the visitor as a guide to the organization of the public inspection file and the procedures for reviewing it and making photocopies. These notices are designed to educate and guide both the station staff and visitors as to the appropriate conduct of a public inspection file review. Please note that the notices must be customized for each station.

Organization of the Public Inspection File

While the organization of the online public file is largely established by the FCC's online system, for those portions the licensee can control and for stations that have not yet transitioned to the online public file, having a well-organized public inspection file will benefit the station in several ways: (a) it will aid in continuous maintenance of the file, both in terms of completeness by subject area and by duration of retention; (b) it will facilitate ease of access for those seeking to view the file; (c) it will comply with requirements that certain documents be maintained separate from others in the file; and (d) it will, as a result, not only ensure compliance with the FCC's Rules, but make it much easier to demonstrate to FCC inspectors the completeness of the station's file.

Specifically, we recommend the following organizational approach:

- I. Create separate file folders for each category of document listed in the section of this Advisory entitled *Contents of the Public Inspection File*.
- II. Maintain the required documents in reverse chronological order (i.e., the "newest" in front or on top and the "oldest" documents in the back of the folder). In some instances, particularly in the case of "Letters received from members of the public," the volume of material may indicate a need to use several folders with documents filed in reverse chronological order (i.e., divided by month, by quarter, by year, etc.).
- III. If you wish to fasten the documents to the folder itself to prevent them from being accidentally dropped or removed, be sure not to fasten them in such a way as to make them inconvenient or impossible to actually examine, or for the station to remove to make copies.
- IV. Label the cabinet(s), drawer(s) or other container(s) utilized as "Station [XXXX] Public Inspection File" so that the label can be easily seen from a distance. If a particular cabinet, drawer, etc. contains only certain information, label its contents accordingly (i.e., "2015 Quarterly Issues/Programs Lists," or "2016 Letters Received from Members of the Public").
- V. If the public inspection files for commonly-owned stations are maintained at the same location, each station must maintain a separate public file. One of the stations may be identified as the "lead" station. The public inspection file for that station would contain documents that are common to all of the other stations in the cluster. For example, if the lead station's Ownership Reports cover the other stations in the cluster, those reports should be placed in the lead station's pertinent file folder for such reports and a single sheet of paper, stating that the "Ownership Reports for this station are located in the public inspection file for Station XXXX," should be placed in the pertinent file folders for the other stations in the cluster.
- VI. Stations that are multicasting multiple program streams will still have just one public inspection file, but may choose to create separate folders within the Sponsorship Identification and Political File sections for each stream to avoid confusion as to which stream aired the programming.
- VII. Under the public file rules, stations have the option of maintaining all or part of the public inspection file in electronic form, such as in a computer database. If all or part of the public inspection file is maintained

electronically, a computer terminal must be available at the main studio for any member of the public who wishes to examine the electronic records. There should be prominent notice in the file of the fact that information is stored electronically, with clear directions as to what types of information are stored electronically, where the information may be accessed (regardless of whether the computer is located near the file), and how to obtain such access. One consideration in favor of keeping materials in electronic format is providing for the safety and security of those materials (for example, making documents "read only" so that they cannot be deleted or altered).

Since many stations suffer from employee turnover in those job positions that require knowledge of the location and access requirements for the public inspection file (such as receptionists), it is important to immediately train new employees holding such positions about the public inspection file and how to handle inquiries from the public regarding the file.

Content of the Public Inspection File

The listings below outline the materials the FCC requires stations to keep in their public inspection file. The length of time that the materials must be kept is provided under each listing and, when necessary, explanatory notes are given. ***It should be noted that in no event are stations required to keep drafts, notes, work papers or similar material used in preparing final documents in the public inspection file. Also, documents and memoranda of an internal nature and communications to and from attorneys or other consultants should not be kept in the file.*** Remember that the public inspection file is not intended to be a general file for every piece of paper that remotely involves the station. ***The public inspection file should contain exactly what the FCC rules require it to contain, and nothing more.*** This will likely mean that the station will keep a number of "non-public" files related to station operation, including correspondence with attorneys and consultants. It is important not to confuse those files, which are not intended for public examination, with the public inspection file.

The public file rules require that a number of documents be retained in the public inspection file until the FCC takes "final action" in the relevant proceeding. "Final action" occurs when "that action is no longer subject to reconsideration, review, or appeal either at the FCC or in the courts." Also, where the public file rules require retention of "all related material," this includes "all exhibits, letters, and other documents tendered for filing with the FCC as part of an application, report, or other document, all amendments to the application, report, or other document, copies of all documents incorporated therein by reference and not already maintained in the public inspection file, and all correspondence between the FCC and the applicant pertaining to the application, report, or other document."

Set forth below are the individual subsections of the public file rules. The public file requirements vary somewhat depending on whether the station is a commercial or noncommercial station. Provided under [Heading A](#) below are the commercial public file requirements. The noncommercial public file requirements follow under [Heading B](#).

A. Commercial Broadcast Station Public Inspection File Rule

Section 73.3526(e)(1) (Authorizations Folder). A copy of all current FCC authorizations, i.e., licenses, construction permits, special temporary operating authorizations and waivers, along with any other documents necessary to reflect changes to the authorization or any conditions that the FCC has placed on the authorization. Note that this requirement is separate from the requirement that the station post its authorizations at the station's transmitter control point.

Retention Period: The current authorizations must be retained until they are replaced by new authorizations, at which time a copy of the new authorization must be placed in the public inspection file and the superseded authorization may be removed.

Section 73.3526(e)(2) (Applications and Related Materials Folder). A copy of any application tendered for filing with the FCC, together with all related material (e.g., exhibits filed as part of the application, amendments to the application, and subsequent correspondence between the FCC and the applicant concerning the application), and copies of Initial Decisions and Final Decisions in cases involving an administrative hearing, as well as a notation regarding any petitions to deny filed against the application, with the name and address of the party that filed the petition.

Retention Period: Applications must be retained until final action has been taken, except that applications for a new construction permit or assignment or transfer granted pursuant to a waiver must be retained for as long as the waiver is in effect. License renewal applications that are granted for less than the full license term must be retained until final action has been taken on the license renewal application filed immediately following the short-term renewal.

Section 73.3526(e)(3) (Citizen Agreements Folder). A copy of every written citizen agreement.

Note: A citizen agreement is defined as a written agreement between a broadcast applicant, permittee, or licensee and one or more citizens or citizen groups that is entered for primarily non-commercial purposes. Such agreements are currently very rare.

Retention Period: For the term of the agreement, including any renewal or extension of the agreement.

Section 73.3526(e)(4) (Contour Maps Folder). A copy of the station's current service contour map submitted as part of any application tendered to the FCC, along with any information from such application showing the station's main studio and transmitter location.

Retention Period: For as long as the documents reflect current, accurate information regarding the station.

Section 73.3526(e)(5) (Ownership Report Folder). A copy of the most recent, complete ownership report (Form 323) filed with the FCC for the station, together with all related documentary material required to be filed with the FCC pursuant to Sections 73.3613 and 73.3615 of the FCC's Rules, or an up-to-date list of such documents. Licensees or permittees that choose to place a list of documents in their public inspection files must provide a copy of such documents to requesting parties within seven days.

Retention Period: Until a new, complete superseding ownership report is filed with the FCC, at which time a copy of the new report and any related materials must be placed in the public inspection file. At that point, the report that has been superseded may be removed from the public inspection file.

Section 73.3526(e)(6) (Political File Folder). Records concerning requests for time and dispositions thereof by candidates for public office, in accordance with Section 73.1943 of the FCC's Rules.

Note: Such records include (a) a listing of all requests for broadcast time made by or on behalf of candidates for public office, (b) the disposition of each request, (c) if the request was granted, the charges imposed for the broadcast time, and (d) if free broadcast time was provided, a record of such time. For further information and details, please refer to the latest edition of **Pillsbury's Political Broadcasting Advisory**.

Retention Period: Two years from the date the document was first placed in the political file.

Section 73.3526(e)(7) (Equal Employment Opportunity File). According to Section 73.2080 (the “EEO Rule”) of the FCC’s Rules, station employment units (“SEUs”) with five or more full-time employees (“Nonexempt SEUs”) must, in addition to other obligations spelled out in the EEO Rule, retain certain records and annually, on the anniversary of the date a station is due to file its license renewal application, place in the public inspection files of all stations comprising the Nonexempt SEU, and on the websites of all such stations, an EEO Public File Report containing the following information (although if a broadcast licensee acquires a station pursuant to a long-form assignment of license or transfer of control during the twelve months covered by the EEO Public File Report, its EEO Public File Report should cover the period starting with the date it consummated its acquisition of the station):

- (i) a list of all full-time vacancies filled by the SEU during the preceding year, identified by job title;
- (ii) for each such vacancy, the recruitment source(s) utilized to fill the vacancy (including, if applicable, organizations entitled to notification pursuant to paragraph (c)(1)(ii) of section 73.2080, which should be separately identified), identified by name, address, contact person and telephone number;
- (iii) the recruitment source that referred the hiree for each full-time vacancy during the preceding year;
- (iv) data reflecting the total number of persons interviewed for full-time vacancies during the preceding year and the total number of interviewees referred by each recruitment source utilized in connection with such vacancies; and
- (v) a list and brief description of initiatives undertaken pursuant to paragraph (c)(2) of Section 73.2080 during the preceding year. Our publication “[The FCC’s Equal Employment Opportunity Rules and Policies – A Guide for Broadcasters](#)” contains detailed information to assist stations in complying with the FCC’s EEO Rule. The document can be downloaded from our website at www.pillsburylaw.com.

In addition, FCC Form 396 (“Broadcast Equal Employment Opportunity Program Report”), which is required to be filed with the FCC immediately before the station’s application for renewal of license is due to be filed, must also be placed in the public inspection file of the station being renewed regardless of the number of full-time employees comprising the SEU.

FCC Form 396-A (“Broadcast Equal Employment Opportunity Model Program Report”), which is required to be filed with any application for a new station or for a long-form assignment of license or transfer of control involving an applicant intending to employ five or more full-time employees, must be placed in the public inspection file for the station or stations which are the subject of the application.

FCC Form 397 (“Broadcast Mid-Term Report”), which must be filed four years after the due date of the station’s last license renewal application by television SEUs with five or more full-time employees, and by radio SEUs with eleven or more full-time employees, must be placed in the public inspection files of all stations comprising the SEU making the filing.

The obligations of religious broadcasters, as defined in the EEO Rule, differ from those of nonreligious broadcasters. Accordingly, such stations should review our “EEO Rules and Policies” publication discussed above.

The FCC previously required broadcasters to file FCC Form 395-B (“Annual Employment Report”) with the Commission and place it in the public inspection file. That requirement has been suspended. However, the FCC has under consideration (i) a proposal to reinstitute the requirement, (ii) a proposal to extend all aspects of the new EEO Rule to part-time positions, and (iii) various petitions for reconsideration and clarification of the

EEO Rule. If the FCC reinstates the Form 395-B requirement, it may require stations to place such reports in their public inspection files and/or on their web sites.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of a standard broadcast license term). While each Annual EEO Public File Report must remain in the public inspection file during that period of time, only the most recent Annual EEO Public File Report need be posted on the station's website.

Section 73.3526(e)(8) ("The Public and Broadcasting: How to Get the Most Service from Your Local Station").

Note: The current edition of this FCC manual, dated July 2008, is available on the FCC's website. Stations are required to provide a free copy of it to members of the public requesting it.

Retention Period: Until such time as a new version is issued by the FCC.

Section 73.3526(e)(9) (Letters and Email from the Public Folder). Letters and email messages received from members of the public, in accordance with Section 73.1202 of the FCC's Rules.

Note: Whether they have transitioned to the online public file or not, stations must retain at their main studio, all written and email comments and suggestions received from the public concerning operation of the station. However, obscene and defamatory letters and letters by people who have requested that their comments be kept confidential need **not** be placed in the public inspection file. Based on informal conversations with the FCC's staff, though, it may be wise to retain such letters in a "non-public" file rather than to discard them. If an FCC inspector visits the station, the "non-public" file should be made available to the inspector upon request. The retention requirement applies only to email messages "sent to a publicly advertised" email address, "or to station management," so personal emails to station staff need not be retained. Stations are not required to retain comments left on social media websites such as Facebook. The station may store emails in a computer or on a computer disk, but must be prepared to make them immediately available for inspection at the station's main studio upon request by providing either a copy of the disk or access to a computer terminal where the emails may be read. There should be a prominent notice in the folder indicating where the email is stored and how it can be accessed. When the FCC adopted the current version of the public file rule, it stated that it was eliminating the requirement that television stations separate letters from the public into two separate folders – one for programming-related letters and one for non-programming-related letters. However, the language of Section 73.1202 of the Commission's Rules containing this requirement was never actually changed. Therefore, it is advisable that television stations continue to separate public correspondence into programming and non-programming folders. **Note: as mentioned above, stations should not place letters and email from the public in the online public file, but should continue to maintain these items in local inspection files at their main stations in paper or electronic form. On May 25, 2016, the FCC initiated a rulemaking proceeding to consider eliminating the requirement that broadcasters maintain letters and emails from the public in the public inspection file, but that proceeding remains pending as of the date of this publication.**

Retention Period: Three years.

Section 73.3526(e)(10) (Material Related to FCC Investigation or Complaint Folder). Applicants, licensees and permittees are required to retain material relating to any matter which is the subject of an FCC complaint or investigation until such party is notified by the Commission that the material may be discarded.

Retention Period: Until the FCC has notified the station that the material may be discarded.

Section 73.3526(e)(11)(i) (Television Issues/Programs List Folder) (TV Stations Only). An

Issues/Programs List is a list that, in the exercise of the licensee's good faith judgment, reflects the station's "most significant" programming treatment of community issues facing the station's service area during the past quarter, including the programs which the station broadcast during the past calendar quarter to address those issues.

Note: Quarterly Issues/Programs Lists must be placed in the public inspection file by January 10 (for the period October through December), April 10 (for the period January through March), July 10 (for the period April through June) and October 10 (for the period July through September) of each year. Each list should have a short narrative statement describing the issues identified by the station and the programming that responded to each issue. Descriptions of programs should include the date, time, duration and title of each program, as well as a brief description. Detailed information regarding the Quarterly Issues/Programs List is available in **Pillsbury's Issues/Programs List Advisory for Broadcast Stations**, which is published quarterly.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of a license term).

Section 73.3526(e)(11)(ii) (Children's Television: Commercial Limits Folder) (TV Stations Only). Material demonstrating compliance with children's television commercial limits.

Note: Commercial TV stations must include records that are adequate to substantiate that the station complied with the limits on commercial advertisements in children's programming established in 47 U.S.C. § 303(a) and implemented by 47 C.F.R. § 73.670 (i.e., 12 minutes per clock hour on weekdays and 10.5 minutes per clock hour on weekends). As with the Quarterly Issues/Programs Lists, this material must be placed in the file by January 10, April 10, July 10 and October 10 of each year. Detailed information regarding the commercial limits and the material needed to substantiate compliance is available in **Pillsbury's Children's Programming Documentation Advisory for Television Station Clients**, which is published quarterly.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of the license term).

Section 73.3526(e)(11)(iii) (Children's Television: Programming Reports Folder) (TV Stations Only). The Children's Television Programming Report Form, which identifies children's programming aired during the past quarter that is responsive to educational and informational needs.

Note: The Children's Television Programming Report must be filed with the FCC on a quarterly basis, and identifies children's educational and informational programs aired to meet the station's obligations under the Children's Television Act of 1990. **Licensees must periodically publicize the existence and location of these reports.** Detailed information regarding the material needed to substantiate compliance is available in **Pillsbury's Children's Programming Documentation Advisory for Television Station Clients**, which is published quarterly.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of the license term).

Section 73.3526(e)(12) (Radio Issues/Programs List Folder) (Radio Stations Only). An Issues/Programs List is a list that, in the exercise of the licensee's good faith judgment, reflects the station's "most significant" programming treatment of community issues facing the station's service area during the past quarter, including the programs which the station broadcast during the past calendar quarter to address those issues.

Note: Quarterly Issues/Programs Lists must be placed in the file by January 10 (for the period October through December), April 10 (for the period January through March), July 10 (for the period April through June) and October 10 (for the period July through September) of each year. Each list should have a short narrative statement describing the issues identified by the station and the programming that responded to each issue. Descriptions of programs should include the date, time, duration and title of each program, as well as a brief description. Detailed information regarding the Quarterly Issues/Programs List is available in **Pillsbury's Issues/Programs List Advisory for Broadcast Stations**, which is published quarterly.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of the license term).

Section 73.3526(e)(13) (Local Public Notice License Renewal Announcements Folder). A statement certifying compliance with the requirement of local public notice of the filing of a license renewal application.

Note: The dates and times that the pre-filing and post-filing license renewal application notices were broadcast and the texts of those notices must be part of the certifying statement.

Retention Period: As long as the application to which it relates must be retained.

Section 73.3526(e)(14) (Time Brokerage Agreements Folder). Time brokerage agreements or "LMAs," and any amendments, renewals or extensions thereof, must be maintained in the station's public inspection file.

Note: Both the brokering station and the station being brokered must place the agreement in their public inspection file. Confidential or proprietary information contained in such agreements (such as the fee paid by the broker) may be redacted or deleted before the document is placed in the public inspection file.

Retention Period: For as long as the agreement is in effect.

Section 73.3526(e)(15) (Television Station Must-Carry/Retransmission Consent Election Statements Folder) (TV Stations Only).

Note: Under the Cable Act, commercial television and certain eligible Class A television and LPTV stations must elect either must-carry or retransmission consent status with local cable systems and satellite carriers every three years. The public file rule requires that television and Class A stations place copies of all must-carry/retransmission consent election letters in their public inspection file by the election deadline. Retransmission consent **agreements** *do not* have to be placed in the public inspection file.

Retention Period: For the duration of the three-year must-carry/retransmission consent election period.

Section 73.3526(e)(16) (Radio and Television Joint Sales Agreements Folder). Copies of any agreements, including amendments, renewals and extensions, for the joint sale of advertising time involving the station, whether such agreements involve stations in the same or different markets. Confidential or proprietary information may be redacted from the copies placed in the folder.

Retention Period: Although the public file rule does not specifically provide for a retention period, the agreement should probably be retained in the folder for as long as it remains in force.

Section 73.3526(e)(17) (Class A TV Continuing Eligibility Folder) (Class A TV Stations Only).

Documentation sufficient to show compliance by the station with the Class A eligibility requirements set forth in Section 73.6001 of the FCC's Rules. Although the rule does not specifically provide for a filing schedule, a

reasonable reading would indicate that the documentation should be prepared and placed in the station's public inspection file on a quarterly basis.

Note: Class A stations are required to broadcast a minimum of 18 hours per day, and an average of at least three hours per week of locally produced programming each quarter.

Retention Period: Although the rule does not specifically provide for a retention period, a reasonable reading would indicate that the documentation should be retained for the license term.

Section 73.1212(e) (Sponsorship Identification Folder). Whenever a station broadcasts material that is political in nature or that involves a controversial issue of public importance, *and* a corporation, committee, association, unincorporated group, or other entity is paying for or furnishing the broadcast material, the station must place, in its public inspection file, a list of the chief executive officers, executive committee members, or members of the board of directors of the entity paying for or furnishing such broadcast material. It is noted that stations frequently combine the Section 73.1212(e) folder with the station's political file under Section 73.3526(e)(6) because of the similarity of the subject matter.

Retention Period: Two years.

Section 315(e) of the Communications Act of 1934, as amended (Bipartisan Campaign Reform Act of 2002 (BCRA), Section 504) (Political/Legislative Matters of National Importance). The Bipartisan Campaign Reform Act requires stations to maintain, and make available for public inspection, a complete record of *requests* to purchase broadcast time for the purpose of communicating a message relating to any matter of national importance, including information about a legally qualified candidate, any election to Federal office, or a national legislative issue of public importance. It is noted that stations frequently combine this material with the station's political file under Section 73.3526(e)(6) because of the similarity of the subject matter.

Note: The record must contain: (a) the issue to which the advertising refers (as applicable); (b) whether the request to purchase broadcast time was accepted or rejected by the station; (c) the rate charged for the time; (d) the date and time on which the advertising aired; (e) the class of time that was purchased; and (f) the name of the entity purchasing the time, along with the name, address and telephone number of a contact person for such entity, and a list of the chief executive officers or members of the executive committee or of the board of directors of such entity. Please refer to the latest edition of **Pillsbury's Political Broadcasting Advisory** for further information.

Retention Period: Two years.

B. Noncommercial Station Public Inspection File Rule

Section 73.3527(e)(1) (Authorization Folder). A copy of all current FCC authorizations to construct or operate the station, along with any other documents necessary to reflect changes to the authorization or any conditions that the FCC has placed on the authorization. Note that this requirement is separate from the requirement that the station post its licenses at the transmitter control point.

Retention Period: The current authorizations must be retained until they are replaced by new authorizations, at which time a copy of the new authorization must be placed in the public inspection file and the superseded authorization may be removed

Section 73.3527(e)(2) (Applications and Related Materials Folder). A copy of any application tendered for filing with the FCC, together with all related material (e.g., exhibits filed as part of the application, amendments to the application, and subsequent correspondence between the FCC and the applicant concerning the application), and copies of Initial Decisions and Final Decisions in cases involving an administrative hearing, as well as a notation regarding any petitions to deny filed against the application, with the name and address of the party that filed the petition.

Retention Period: Applications must be retained until final action has been taken on them, except that applications for a new construction permit or assignment or transfer granted pursuant to a waiver must be retained for as long as the waiver is in effect. License renewal applications that are granted for less than the full license term must be retained until final action has been taken on the license renewal application filed immediately following the short-term renewal.

Section 73.3527(e)(3) (Contour Maps Folder). A copy of the station's current service contour map submitted as part of any application tendered to the FCC, along with any information from such application showing the station's main studio and transmitter location.

Retention Period: For as long as the documents reflect current, accurate information regarding the station.

Section 73.3527(e)(4) (Ownership Report Folder). A copy of the most recent, complete ownership report (Form 323-E) filed with the FCC for the station, together with all related documentary material required to be filed with the FCC pursuant to Sections 73.3613 and 73.3615 of the FCC's Rules, or an up-to-date list of such documents. Licensees or permittees that choose to retain a list of documents must provide a copy of such documents to requesting parties within seven days.

Retention Period: Until a new, complete superseding ownership report is filed with the FCC, at which time a copy of the new report and any related materials must be placed in the public inspection file. At that point, the report that has been superseded may be removed from the public inspection file.

Section 73.3527(e)(5) (Political File Folder). Records concerning requests for time and dispositions thereof by candidates for public office, in accordance with Section 73.1943 of the FCC's Rules.

Note: Such records include (a) a listing of all requests for broadcast time made by or on behalf of candidates for public office, (b) the disposition of each request, (c) if the request was granted, the charges imposed for the broadcast time, and (d) if free broadcast time was provided, a record of such time. For further information and details, please refer to the latest edition of **Pillsbury's Political Broadcasting Advisory**.

Retention Period: Two years.

Section 73.3527(e)(6) (Equal Employment Opportunity File). According to Section 73.2080 (the "EEO Rule") of the FCC's Rules, station employment units ("SEUs") with five or more full-time employees ("Nonexempt SEUs") must, in addition to other obligations spelled out in the EEO Rule, retain certain records and annually, on the anniversary of the date a station is due to file its license renewal application, place in the public inspection files of all stations comprising the Nonexempt SEU, and on the websites of all such stations, an EEO Public File Report containing the following information (although if a broadcast licensee acquires a station pursuant to a long-form assignment of license or transfer of control during the twelve months covered by the EEO Public File Report, its EEO Public File Report should cover the period starting with the date it consummated its acquisition of the station):

- (i) a list of all full-time vacancies filled by the SEU during the preceding year, identified by job title;
- (ii) for each such vacancy, the recruitment source(s) utilized to fill the vacancy (including, if applicable, organizations entitled to notification pursuant to paragraph (c)(1)(ii) of Section 73.2080, which should be separately identified), identified by name, address, contact person and telephone number;
- (iii) the recruitment source that referred the hiree for each full-time vacancy during the preceding year;
- (iv) data reflecting the total number of persons interviewed for full-time vacancies during the preceding year and the total number of interviewees referred by each recruitment source utilized in connection with such vacancies; and
- (v) a list and brief description of initiatives undertaken pursuant to paragraph (c)(2) of Section 73.2080 during the preceding year. Our publication [The FCC's Equal Employment Opportunity Rules and Policies – A Guide for Broadcasters](#) contains detailed information to assist stations in complying with the FCC's EEO Rule. The document can be downloaded from our website at www.pillsburylaw.com.

In addition, FCC Form 396 ("Broadcast Equal Employment Opportunity Program Report"), which is required to be filed with the FCC immediately before the station's application for renewal of license is due to be filed, must also be placed in the public inspection files of all stations regardless of the number of full-time employees comprising the SEU.

FCC Form 396-A ("Broadcast Equal Employment Opportunity Model Program Report"), which is required to be filed with any application for a new station or for a long-form assignment of license or transfer of control involving an applicant intending to employ five or more full-time employees, must be placed in the public inspection file for the station or stations which are the subject of the application.

FCC Form 397 ("Broadcast Mid-Term Report"), which must be filed four years after the due date of the station's last license renewal application by television SEUs with five or more full-time employees, and by radio SEUs with eleven or more full-time employees, must be placed in the public inspection files of all stations comprising the SEU making the filing.

The obligations of religious broadcasters, as defined in the EEO Rule, differ from those of nonreligious broadcasters. Accordingly, such stations should review our "EEO Rules and Policies" publication discussed above.

The FCC previously required broadcasters to file FCC Form 395-B ("Annual Employment Report") with the Commission and place it in the public inspection file. That requirement has been suspended. However, the FCC has under consideration (i) a proposal to reinstate the requirement, (ii) a proposal to extend all aspects of the EEO Rule to part-time positions, and (iii) various petitions for reconsideration and clarification of the EEO Rule. If the FCC reinstates the Form 395-B requirement, it may require stations to place such reports in the public inspection files and/or on their web sites.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of a standard broadcast license term). While each Annual EEO Public File Report must remain in the public inspection file during that period of time, only the most recent Annual EEO Public File Report must be posted on the station's website.

Section 73.3527(e)(7) ("The Public and Broadcasting: How to Get the Most Service from Your Local Station").

Note: The current edition of this FCC manual, dated July 2008, is available on the FCC's website. Stations are required to provide a free copy of it to members of the public requesting it.

Retention Period: Until such time as a new version is issued by the FCC.

Section 73.3527(e)(8) (Issues/Programs List Folder). An Issues/Programs List is a list that, in the exercise of the licensee's good faith judgment, reflects the station's "most significant" programming treatment of community issues facing the station's service area during the past quarter, including the programs which the station broadcast during the past calendar quarter to address those issues.

Note: Quarterly Issues/Programs Lists must be placed in the file on January 10 (for the period October through December), April 10 (for the period January through March), July 10 (for the period April through June) and October 10 (for the period July through September) of each year. Each list should have a short narrative statement describing the issues identified by the station and the programming that responded to each issue. Descriptions of programs should include the date, time, duration and title of each program, as well as a brief description. Detailed information regarding the Quarterly Issues/Programs List is available in **Pillsbury's Issues/Programs List Advisory for Broadcast Stations**, which is published quarterly.

Retention Period: Until final action is taken on the station's next license renewal application (normally eight years, the length of a license term).

Section 73.3527(e)(9) (Donor Lists Folder). The lists of donors providing "underwriting" support for specific programs.

Retention Period: Two years.

Section 73.3527(e)(10) (Local Public Notice License Renewal Announcements Folder). A statement certifying compliance with the requirement of local public notice of the filing of a license renewal application.

Note: The dates and times that the pre-filing and post-filing license renewal application notices were broadcast and the text of those notices must be part of the certifying statement.

Retention Period: As long as the application to which it refers must be retained.

Section 73.3527(e)(11) (Material Related to FCC Investigation or Complaint Folder). Applicants, licensees and permittees are required to retain material relating to any matter which is the subject of an FCC complaint or investigation until the licensee is notified by the Commission that the material may be discarded.

Retention Period: Until the FCC has notified the station that the material may be discarded.

Section 73.3527(e)(12) (Television Station Must-Carry Requests Folder) (TV Stations Only). Under the Cable Act, noncommercial television stations may request mandatory carriage on local cable and satellite systems every three years. The public file rule requires that stations making such elections place a copy of their election letter and relevant correspondence in the public inspection file.

Retention Period: For the duration of the three-year election period to which the request for mandatory carriage applies.

Section 73.1212(e) (Sponsorship Identification Folder).

Note: Whenever a station broadcasts material that is political in nature or that involves a controversial issue of public importance, *and* a corporation, committee, association, unincorporated group, or other entity is paying for or furnishing the broadcast material, the station must place in its public inspection file a list of the chief executive officers, executive committee members, or members of the board of directors of the entity paying for or furnishing such broadcast material.

Retention Period: Two years.

Regulatory Risks of Maintaining an Inaccessible or Incomplete Public Inspection File

Forfeitures. The FCC is empowered to fine stations for violations of its rules and usually follows a summary procedure in imposing forfeitures for violations of the public inspection file rules. The current “base fine” for failure to maintain a complete public inspection file is \$10,000, and the FCC may adjust this amount upward if it believes the circumstances surrounding the violation merit it. The FCC has also issued fines for failure to timely upload required public file materials to the online file. Thus, it “pays” to maintain a well-organized and complete public inspection that is readily accessible to the public.

License Renewal Difficulties. An incomplete public inspection file or evidence that a station’s staff harassed, intimidated, or otherwise discouraged or unduly delayed members of the public from inspecting the public inspection file may be considered by the FCC at license renewal time, and quite possibly before. Since the licensee must certify in its license renewal application that its public inspection file is complete and that all required documents were placed in the public inspection file on time, an FCC determination that the file was incomplete constitutes not only a rule violation, but raises serious issues of misrepresentation before the FCC. Misrepresentation can result in loss of license and/or substantial fines, and thus must be avoided at all costs. Under the Communications Act of 1934, as amended, the FCC has the authority to take away any license for serious violations of its rules as well as for other violations which constitute a pattern of abuse.

As violations of the public file rules can have serious regulatory consequences, stations should contact the lawyers in Pillsbury’s Communications Practice Section if they have any questions regarding the information in this Advisory or about their public inspection files in general.

If you have any questions about the content of this publication, please contact the Pillsbury attorney with whom you regularly work or the authors of this Advisory.

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Pillsbury Winthrop Shaw Pittman LLP is a leading international law firm with offices around the world and a particular focus on the energy & natural resources, media, financial services, real estate & construction, and technology sectors. Recognized by *Financial Times* as one of the most innovative law firms, Pillsbury and its lawyers are highly regarded for their forward-thinking approach, their enthusiasm for collaborating across disciplines and their unsurpassed commercial awareness.

COMMERCIAL AND NONCOMMERCIAL STATION PUBLIC INSPECTION FILE – VISITORS

(This memo is to be provided to all members of the public requesting access to the station's Public Inspection File.)

Welcome to Station [XXXX]. We understand that you are interested in reviewing our Public Inspection File. This is, of course, a right provided to you by the Rules of the Federal Communications Commission. In addition, we want to assure you that our station is pleased that you have come to visit us. It is our intent to cooperate fully in affording you access to our Public Inspection File.

We expect that our employees will be helpful, courteous, and cooperative in affording you access to the Public Inspection File. If you find that any employee acts otherwise, we ask that you notify the Station Manager immediately. If our Station Manager is at the station on the day you visit, please ask for a personal meeting if you have any concerns or need help with anything. If our Station Manager is not at the station, please call [(999) 999-9999], where our Station Manager can be reached.

You will be escorted to the station employee who will provide you with access to our Public Inspection File. That person will remain available to assist you in case you have any questions.

We are very proud of our station operations and make every effort to comply with not only the public file rule, but all other rules, policies and requirements of the Federal Communications Commission and other federal, state and local governmental authorities. We believe you will find everything in order. However, if you have any complaints, questions or concerns, please discuss the matter with our employee who showed you our public inspection file or with our Station Manager.

COMMERCIAL AND NONCOMMERCIAL STATION PUBLIC INSPECTION FILE – INSPECTION PROCESS

(To be kept at the location of the Public Inspection File and provided to persons who are inspecting the File.)

This is the Station [XXXX] Public Inspection File. We make every effort to maintain a public inspection file that is complete, accurate, and in compliance with the Rules of the Federal Communications Commission. It is organized, subsection for subsection, in the same manner as the Federal Communications Commission's Commercial/Noncommercial Public Inspection File Rules, as applicable, which are found at Title 47, Code of Federal Regulations, Sections 73.3526 and 73.3527. If you wish to see public inspection file material required under a particular subsection of these Public Inspection File rules, please refer to that subsection in our Station's Public Inspection File to find it.

We will provide you with a seat and desk or table to review the Public Inspection File. We hope to make you as comfortable as possible, and if you desire anything in this regard please ask the station employee who took you to inspect the public file. We request that you not remove the materials from the folders in the Public Inspection File. You should review the materials only one folder at a time, and return the folder to the public inspection file as soon as you have completed your review of the contents of that folder. Please do not hesitate to ask for help during your inspection, as it is important that all material be kept well organized.

If you want photocopies of anything in the Public Inspection File, we will provide you with paper clips or other means of marking the pages so that you can identify the pages or subsections that you wish to have photocopied. Please do not disassemble the file; rather, identify the portions you want photocopied with the clips and markers provided. Upon completion of your review, we will provide you with an order form so that you can order photocopies of the desired material from a commercial photocopier located in our area which has agreed to provide that service for us. This will assure that you receive your photocopies in the quickest possible time, that the work is done accurately, and that you are charged a standard market rate. We will not be able to make copies of materials found in the Public Inspection File for you at the station.

If you have any questions about the file, please ask to speak to the station employee who showed you where the station's public inspection file is located. If that person is not able to answer your question during your visit, he or she will see that you receive an answer, either orally or in writing, as quickly thereafter as possible. If you have any complaints about the cooperation you have received, please contact our Station Manager while you are at the station or later by calling [(999) 999-9999].

Thank you again for visiting our station. We hope you enjoyed your visit and found everything you were wishing to review.

COMMERCIAL STATION SAMPLE PUBLIC INSPECTION FILE DOCUMENT LIST

“Station XXXX Public Inspection File Document List”

FCC Rule § 73.3526	Examples of Types of Documents	Period Covered
(e)(1) Authorizations	<ol style="list-style-type: none"> 1. Assignment of License from YYYY Television, Inc. to ZZZZ License Partnership 2. Letter Authorization for call sign change from YYYY-TV to ZZZZ(TV) 3. License Renewal Authorization 4. Television Broadcast Station License 	Current
(e)(2) Applications and Waiver Requests	<ol style="list-style-type: none"> 1. Waiver Request in January 3, XXXX Assignment of License Application 2. Amendment to Waiver Request filed July 30, XXXX 	Current
(e)(3) Citizens Agreements	None	Current
(e)(4) Contour Maps	<ol style="list-style-type: none"> 1. Construction Permit Application filed January 1, XXXX 2. License Application filed June 18, XXXX 	Current
(e)(5) Ownership Reports	<ol style="list-style-type: none"> 1. 20XX Biennial Ownership Report 	Most recent report
(e)(6) Political File		Past two years
(e)(7) Equal Employment Opportunity File	<ol style="list-style-type: none"> 1. Broadcast EEO Program Report (FCC Form 396) 2. Annual EEO Public File Report for 20XX 3. Annual EEO Public File Report for 20XX 4. Annual EEO Public File Report for 20XX 5. Annual EEO Public File Report for 20XX 6. Broadcast Mid-term EEO Report (FCC Form 397) 	20XX 20XX-20XX 20XX-20XX 20XX-20XX 20XX 20XX-20XX Retain until next license renewal grant is final
(e)(8) The Public and Broadcasting	July 2008 Edition	Current
(e)(9) Letters and Emails From the Public		Past three years
(e)(10) FCC Investigations and Complaints	None	Current

<p>(e)(11)(i) <i>TV Only</i> – Quarterly Issues/Programs Lists</p>	<p>Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX</p>	<p>July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Retain each quarter’s report until next license renewal grant is final</p>
<p>(e)(11)(ii) <i>TV Only</i> – Commercial Limits</p>	<p>Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX</p>	<p>July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Retain each quarter’s report until next license renewal grant is final</p>

<p>(e)(11)(iii) <i>TV Only</i> – Children’s Television Programming Reports</p>	<p>Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX</p>	<p>July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX</p> <p>Retain each quarter’s report until next license renewal grant is final</p>
<p>(e)(12) <i>Radio Only</i> – Quarterly Issues/Programs Lists</p>	<p>Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX</p>	<p>July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX</p> <p>Retain each quarter’s report until next license renewal grant is final</p>
<p>(e)(13) Local Public Notice License Renewal Announcements</p>		<p>Retain until license renewal grant is final</p>
<p>(e)(14) Time Brokerage Agreements</p>		<p>Current</p>

(e)(15) <i>TV Only</i> – Must-Carry/ Retransmission Consent Election Letters		20XX-20XX Retain for entire three-year election term
(e)(16) Joint Sales Agreements		Current
(e)(17) <i>Class A TV Only</i> – Class A Continuing Eligibility	Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX	July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Retain each quarter's report until next license renewal grant is final
Section 73.1212 Sponsorship Identification		Past two years
BCRA Information	Political Matters of National Importance	Past two years

NONCOMMERCIAL STATION SAMPLE PUBLIC INSPECTION FILE DOCUMENT LIST

“Station XXXX Public Inspection File Document List”

FCC Rule § 73.3527	Examples of Types of Documents	Period Covered
(e)(1) Authorizations	<ol style="list-style-type: none"> 1. Assignment of License from YYYY Television, Inc. to ZZZZ License Partnership 2. Letter Authorization for call sign change from YYYY-TV to ZZZZ(TV) 3. License Renewal Authorization 4. Television Broadcast Station License 	Current
(e)(2) Applications and Waiver Requests	<ol style="list-style-type: none"> 1. Waiver Request found in January 3, XXXX Assignment of License Application 2. Amendment to Waiver Request filed July 30, XXXX 	Current
(e)(3) Contour Maps	<ol style="list-style-type: none"> 1. Construction Permit Application filed January 1, XXXX 2. License Application filed June 18, XXXX 	Current
(e)(4) Ownership Reports	<ol style="list-style-type: none"> 1. 20XX Biennial Ownership Report 	Most recent report
(e)(5) Political File		Past two years
(e)(6) Equal Employment Opportunity	<ol style="list-style-type: none"> 1. Broadcast EEO Program Report (FCC Form 396) 2. Annual EEO Public File Report for 20XX 3. Annual EEO Public File Report for 20XX 4. Annual EEO Public File Report for 20XX 5. Annual EEO Public File Report for 20XX 6. Broadcast Mid-term EEO Report (FCC Form 397) 	20XX 20XX-20XX 20XX-20XX 20XX-20XX 20XX 20XX-20XX Retain until next license renewal grant is final
(e)(7) The Public and Broadcasting	July 2008 Edition	Current
(e)(8) Quarterly Issues/Programs Lists	Third Quarter 20XX Second Quarter 20XX First Quarter 20XX Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX First Quarter 20XX	July-Sept 20XX April-June 20XX Jan.-Mar. 20XX Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Jan.-Mar. 20XX

	Fourth Quarter 20XX Third Quarter 20XX Second Quarter 20XX	Oct.-Dec. 20XX July-Sept 20XX April-June 20XX Retain each quarter's report until next license renewal grant is final
(e)(9) Donor Lists		Past two years
(e)(10) Local Public Notice License Renewal Announcements		Retain until license renewal grant is final
(e)(11) FCC Investigations/ Complaints		Current
(e)(12) <i>TV Only</i> – Must-Carry Request Letters		20XX-20XX Retain for entire three-year election term
Section 73.1212 Sponsorship Identification		Past two years

This publication is issued periodically to keep Pillsbury Winthrop Shaw Pittman LLP clients and other interested parties informed of current legal developments that may affect or otherwise be of interest to them. The comments contained herein do not constitute legal opinion and should not be regarded as a substitute for legal advice.

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