# Compliance Calendar of
# Legal FCC requirements for full-power NCE's

*If you are new to the process of FCC reporting compliance, please go to the bottom of page 6 for introductory information.*

**January:**    10$^{th}$:    Quarterly FCC Report to Public File on FCC website online for 4$^{th}$ quarter of previous year: Issues Program Report, Donors and Underwriters, Political File.

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

10$^{th}$ – check whether EAS test came from your state source. If not, contact the source (see information below)

30$^{th}$: Upload identities of any specific-program underwriters to Public Files

**February:**    10$^{th}$ – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

30$^{th}$: Upload identities of any specific-program underwriters to Public Files

**March:**    10$^{th}$ – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

30$^{th}$: Upload identities of any specific-program underwriters to Public Files

**April:** 10th – check whether EAS test came from your state source. If not, contact the source (see information below)

$10^{th}$ - Quarterly FCC Report to On-line Public File covering first quarter of the current year: Issues-Program Report, Specific-program Underwriters, Political File, Correspondence with FCC regarding any inspections, etc. (see link below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

$30^{th}$: Upload identities of any specific-program underwriters to Public Files

**May:** 10th – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

$30^{th}$: Upload identities of any specific-program underwriters to Public Files

**June:** 10th – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station

$30^{th}$: Upload identities of any specific-program underwriters to Public Files

**July:** $10^{th}$ Quarterly FCC Report to On-Line Public File for the second quarter of current year: Issues-Programs Report, Single-program Underwriters, Political File, Correspondence with FCC regarding any inspections, etc. (see link below)

10th – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

$30^{th}$: Upload identities of any specific-program underwriters to Public Files

**August:** 10th – check whether EAS test came from your state source. If not, contact the source

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

30th: Upload identities of any specific-program underwriters to Public Files

**September:** 10th – check whether EAS test came from your state source. If not, contact the source (see information below)

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

30th: Upload identities of any specific-program underwriters to Public Files

**October:** 10th **Quarterly FCC Report to On-Line Public File Third Quarter of previous year:** Issues Program Report, single-program underwriters, Political File, Correspondence with FCC regarding any inspections, etc. (see link below)

10th – check whether EAS test came from your state source. If not, contact the source (see information below

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

30th: Upload identities of any specific-program underwriters to Public Files

**November:** 10th – check whether EAS test came from your state source. If not, contact the source (see information below

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

30th: Upload identities of any specific-program underwriters to Public Files

**December:** No later than December 1: *Only in odd numbered years.* (2023, 2025 etc.) Bi-annual Ownership Report for all stations (see below).

10th – check whether EAS test came from your state source. If not, contact the source.

4 weekly EAS Tests, each in three separate day parts (each time frame must be used at least once per month). Copy of EAS test printed out & put in logbook in visible room in the station.

30th: Upload identities of any specific-program underwriters to Public Files
January 10th of Next Year: **Quarterly FCC Report to On-Line Public File for fourth Quarter of previous year:** Issues Program Report, Single program Underwriters, Political File, Correspondence with FCC regarding any inspections.

# EXPLANATIONS, OTHER REPORTS, and HELPFUL LINKS

**Ownership reports :**A **Biennial Ownership Report** is due in each odd-numbered calendar year (2023, 2025, etc.), in a filing window from October 1 until November 30 of that year.  All stations report this data as of October 1, so that the FCC can publish and analyze overall totals.

A **Non-Biennial Ownership Report** is required to be filed within 30 days of the consummation of an assignment or transfer, for the purpose of updating the station's profile to include the new facility.  These are pull-down menus under ownership in the LMS (Licensing and Management System – see below).  The most current Ownership Report should be in the stations' files.

**License Renewal Applications:**Applications to renew your license must be filed every eight years.  Deadlines are spaced across the States and Territories so that FCC staff can keep a manageable workflow.  Radio including AM, FM, LPFM, and FM Translators have a schedule of States that is separate from Television including TV, LPTV, Class A, and TV Translators.  In all cases for TV and radio, the application filing deadline is the first day of the fourth month ahead of the date that the license will expire if not renewed.  (A pending but not granted renewal application extends the license until the FCC acts on the application.)

Some advance time and effort are needed before the renewal application deadline.  The applicant must already have on file: the most recent required EEO report and the most recent required Ownership Report.   A late renewal application automatically exposes the station to a fine, and delays FCC staff granting the renewal.  The FCC does not notify the licensee that its license is coming up for renewal.

When applying for your renewal, you are required to give public notice of the filing of the application, using on-air announcements.  When these are completed, you are required to upload a certification to the on-line public information file that they have been completed.

**Equal Employment Opportunity report:** An Equal Employment Opportunity (EEO) report must be filed every year to the public files by the anniversary of the filing deadline for station renewal. In addition to submitting an annual EEO report on the yearly anniversary of the filing deadline for station renewal, the station also must link the EEO report to the homepage of their website.

A full-time employee is an employee that is paid for 30 hours or more per week. Stations with less than five full time employees need only to upload a document with the statement: "Station name (i.e. WXPT) has fewer than 5 full-time employees." This statement will satisfy the requirement. However, a common misconception is that stations with fewer than five need not file any report at all.  This conception is false.

All hirings job-searches for full-time positions (30 hours or more per week) must be documented on the report.  Promotions from within do not need to be documented.

If a report is required, you must include all the station's EEO employment "initiatives" involving outreach for training, attendance at job fairs, Internships with schools, training for employees, EEO trainings for staff and employees etc. Specifics of what occurred during the reporting period should be included, including dates, locations, number of people involved (no names).  It is a good practice to include as many initiatives as possible.  We recommend that you talk to your broadcast attorney advisor to complete this correctly.

Stations with 2 - 5 full-time employees must conduct four EEO employment initiatives every 2 years.
Stations with 5 - 10 full-time employees need to fulfill two EEO employment initiatives every 2 years.

## Underwritten Programs

Only those underwriters who support specific programs need to be reported.  General donation, grants, and station support do not need to be reported. However, some stations submit regular reports of all their underwriters anyway, for purposes of transparency. This category does not include underwriting for syndicated programs that do not fund your station.

## Non-Biennial Ownership Reports / Transfers of Control:

If your station's board of directors has changed by more than 50% since your last since their last biennial or non- biennial report, an ownership report is required be filed with the FCC, within 30 days after this "transfer of control." You must file Form 323-E

https://www.fcc.gov/media/ownership-report-commercial-broadcast-station-form-323
https://www.fcc.gov/sites/default/files/323e.pdf

**Explanation:**

When more than a majority of the board of directors change, the station is obligated to file an application that requests FCC approval of a "transfer of control." This is not a
function of the calendar, so the station must take the initiative to file an application that requests FCC approval.

You can determine whether an application is required by comparing the composition of the current board of directors with the last board of directors on record, approved by the FCC - i.e. the station's last license renewal application or last transfer of control application approved by the FCC.

The application must be placed in the station's Public File. After the application is granted, it can be replaced in the Public File with the FCC's authorization that approves the transfer

**Definition of Ownership:**

(b) Ownership Interests. Ownership interest in or relationship to a Licensee that confers on its holder a certain degree of influence or control over the Licensee as defined in the Commission's rules.

https://esupport.fcc.gov/help/form_603.htm?job=help_topic&id=form_603&page=help_about

A pro forma assignment or transfer is one in which the form of ownership changes but actual control of the license remains with the same entity. Pro forma assignments and transfers may be approved under streamlined Forbearance procedures in the case of most telecommunications carriers (excluding licensees with installment payment or designated entity issues). These pro forma requests do not require prior FCC approval provided that the parties notify the FCC of the change within 30 days. Note that private licenses are not subject to forbearance. FCC approval is required for private pro forma transfers and

## Adverse Adjudication Report

This is to report illegality or criminality. Each year prior to the deadline (see below), the station should survey its staff and board members to find out if any of the following has happened to them in the past year:

(A) An adverse finding was made, or final action was taken against the licensee or its board members or officers (or any other entity in which such individuals hold an attributable interest) by any court or administrative body in a civil or criminal proceeding, brought under the provisions of any law relating to: 1) Any felony; or 2) Broadcast related antitrust or unfair competition; or 3) Criminal fraud or fraud before a governmental unit; or 4) Discrimination.

(B) An adjudicated matter that would cause the denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

The adverse adjudication report does not need to be filed if there have been no relevant adverse findings. If you are in the (fortunately rare) position of needing to file this report, get legal help in its preparation.

The adverse adjudication report is due on the anniversary date of the deadline for filing the renewal application, Section 1.65(c) 0f FCC Rules. It details activities that occurred at any time in the preceding year.

# IF THIS IS NEW FOR YOU:

**SCOPE OF THIS CALENDAR:** This briefing applies to noncommercial, educational stations. Most of these requirements DO NOT APPLY to Low Power FM Stations.

## ON-LINE ACCESS

1. **"The FRN":** To do anything at FCC, a broadcaster must have a Federal Registration Number, a ten-digit number with a user-created password. Keep your FRN and password in several safe and known places. (Much time is wasted every day by broadcasters and their advisers, trying to recover lost passwords!) The number is applied for at the following link: https://apps.fcc.gov/coresWeb/regEntityType.do

B. **"The On-Line Public Information File" or "PIF":** Each NCE station must create and maintain and on-line public file. You are required to upload public file information to tis public-facing FCC website. You should also be uploading monthly underwriting Reports if you have for-profit or non-profit underwriters whose support is tailored to a specific program, and copies of correspondence with FCC regarding any inspections.

- For creating a PIF and for finding an existing one: https://publicfiles.fcc.gov/. At that link you can click on "View the complete list of items that must be placed in the file."
- Maintain your file at https://publicfiles.fcc.gov/admin/
- Upload Issues and Programs to: https://publicfiles.fcc.gov/fm-profile/*your station's call letters*

## PRIMARY SOURCE

Items to be included in the public file of noncommercial, educational stations are listed in an FCC Rule, 47 C.F.R. Section 73.3527(e)

FCC Web site: fcc.gov

FCC Media Bureau, section responsible for radio**:**  fcc.gov/media   phone 202-418-2700

## YOU SHOULD MAINTAIN AN ACTIVE REGISTRATION WITH SEVERAL FCC DATABASES:

**LMS** Licensing and Management System.  Location where virtually all application filings are made. User needs a Federal Registration Number (FRN) and password.

**EAS**  (Emergency Alert System) annual national test requires pre-registration and certification of test received and rebroadcast. National tests are announced by the FCC with notifications available when you open an account.

## MONTHLY AND WEEKLY EMERGENCY ALERT SYSTEMS (EAS) TESTS :

You are required to make monthly Test (RMT) and Required Weekly Test (RWT) [Section 11.61}. Each month, local or state Primary EAS sources will transmit test messages of the EAS digital Header Codes (three long EAS data bursts), the two-tone 8-second Attention Signal, a Test Script (audio message), and EOM codes. You must retransmit monthly tests within 15 minutes of receipt. In odd months, the tests must be conducted between 8:30 a.m. and local sunset. In even months, tests must be conducted between local sunset and 8:30 a.m.   All stations must conduct tests of the EAS Header and EOM codes at least once a week on random days and times between 8:30 a.m. and local sunset. A weekly test is not required the week that a monthly test is conducted.