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Make Certain Your Online Public File is in Tip-Top Shape

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We are now well over a year since ALL broadcasters, including radio, have had to transition to a fully functional FCC online public file. A year earlier, the online public file rules became effective for larger commercial radio stations in the top 50 Neilson markets with 5 or more fulltime employees. *With a 2 year grace period to all other radio broadcasters, and radio renewals beginning next year, it's clear that every radio and television broadcaster must have their online public file in good shape if they are interested in a license renewal and avoiding FCC fines.*

It is the responsibility of all broadcast licensees to make sure that the full public file is loaded online on the Commission's website. There are 3 exceptions to the upload requirement:

1. The FCC will automatically transfer all materials in FCC electronic databases and all FCC generated documents that are required to be in the file.

(Note, however, the FCC even said that it's the licensee responsibility to make sure that even the items that the FCC is supposed to link over from its own filing systems are in fact in the file. If those items are missing, broadcasters should alert the Media Bureau.)

2. Political file materials from the period prior to the online requirement may remain in the local public file. Those political file materials, however, may be voluntarily uploaded, and that will replace the responsibility to have them in a local paper file.
3. Letters and e-mail from the public. The irritating requirement to collect letters and e-mails from the public commenting on station operation and place them in the public file is no more. Fulfilling one of Chairman Pai's first promises, on January 31, 2017 the Commission adopted an order eliminating this requirement.

Political File

The political file is an obligation found in statute. The Communications Act requires licensees to make the station's political file available to the public. Therefore, broadcasters are still required to maintain a local back-up of the political file to cover the possibility that the FCC online public file become unavailable. The backup file may be maintained in paper, electronic, microfiche or any other form, as long as the complete file is available for public inspection.

Fortunately, the Commission provides for the ability to download a back-up mirror copy of the station's entire public file. The purpose is to allow the station the means to reconstitute the file should the FCC online file become compromised. While this is optional, if a station chooses to download the mirror back-up, that back-up would include the political file materials and the local backup copy is automatically preserved at the station. Keep in mind that it would still be necessary to add to the backup all new political file materials that had not been uploaded before the download and therefore included in the mirror back-up.

PS: Regarding the upload, the Commission recommends the upload be done in the documents' existing format, and if the format is already searchable, to upload the searchable format.

Important Reminders:

Websites. Stations with websites must have a homepage link to the first page of the FCC hosted file and list a contact representative for persons with disabilities. This is in addition to the already required link to your EEO annual public file report. Remember the Annual EEO Public File Report link on your website must be a direct link to the EEO report on the FCC online public file.

Back-up files. While not required, *request* and download a mirror copy of the FCC online public file on a regular basis.

Political files. Above all, make sure to maintain a current back-up copy in the event the FCC's public file website portal goes down. If you maintain the backup from the FCC mirror copy, make sure it is someone's specific responsibility to keep it updated.

If you want to see how the public sees your file, the file of any other station, go to <https://publicfiles.FCC.gov> and you can search any station. Click the sign-in button in the upper right corner of the screen to sign into your own station's online public file. To do this, you will need your station's Facility ID and a passcode, which can be obtained at the owner's dashboard using your CORES's FRN and password combination.

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