



Radio Station Online Public Inspection File (OPIF) Checklist

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The FCC's public inspection file rule has long been a "bedrock obligation" of every broadcast licensee. The rule was designed to facilitate interaction between broadcast stations and their communities, helping to ensure that stations continue to serve the public interest.

Years ago, radio stations' public inspection files transitioned from the historical, paper public file system to the FCC's online public inspection file ("OPIF") system. As a consequence of the general online availability of the OPIF system, it is easier for the FCC to monitor and investigate stations' compliance with the FCC's public file rules, particularly given that each document uploaded to a station's OPIF bears a "time/date" stamp indicating precisely when the document was placed in the OPIF. Thus, it is critical for stations to

ensure that they timely generate and upload all required documentation to the OPIF.

This Radio Station Online Public Inspection File Checklist is intended to assist members of the Ohio Association of Broadcasters in identifying the typical items commercial and non-commercial radio stations must include in their FCC-hosted OPIF. If you have any questions or need additional information about this matter, please contact the OAB FCC Hotline at 888-705-0678. However, please note that this list is not—and is not a substitute for—legal advice, and that additional requirements may apply to your station in light of your particular factual circumstances. Consultation with your station's communications counsel is advised to ensure compliance with all aspects of the FCC's OPIF rules.

CONTENTS OF THE PUBLIC FILE

NOTE: If your station has a website, the homepage of the station's website must provide a link to the online public inspection file ("OPIF") hosted on the FCC's website, and the station's website must provide contact information for a station representative that can assist any person with disabilities with issues related to the content of the public files.

Station Authorizations (FCC Imports Some; Station Uploads Some)

- Current FCC authorizations to construct or operate the station.
- Remove all authorizations and documents except those relating to the current authorization.
- All documents relating to current FCC authorizations.

Applications and Related Materials (FCC Imports)

- Copies of all applications tendered for filing with the FCC.
- Maintain applications granted pursuant to a waiver for as long as the waiver is in effect.
- All documents relating to applications tendered for filing, including Initial Decisions and Final Decisions for applications that are the subject of a hearing.
- Maintain license renewal applications granted for a shortened license term until final action has been taken on the application filed immediately following the shortened term.
- If any petitions to deny have been filed against an application, there must be a statement regarding those petitions.
- Remove any other applications and materials relating to any application on which final action has been taken.

Contour Maps (FCC Imports)

- Check the map provided by the FCC in your OPIF.
 - If the contour map imported by the FCC in your OPIF is not correct, upload correct contour map into "Authorizations" folder and notify your legal counsel
- or the FCC that the contour map imported by the FCC was incorrect. As of the date of this checklist, the OPIF does not have functionality enabled to allow stations to alter the contour map uploaded by the FCC to their OPIF
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The Public and Broadcasting Manual (Link Provided by FCC on First Page of OPIF)

- A hyperlink to a copy of the most recent version of the FCC manual titled "*The Public and Broadcasting*" is provided by the FCC on the landing page of each station's OPIF.
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Ownership Reports (FCC Imports) and Related Materials (Station Uploads)

- Copy of the most recent, complete ownership report filed with the FCC and any relevant materials relating to the report.
 - Remove any documents that do not relate to the current ownership report.
 - Copies of or an up-to-date list of contracts and agreements listed in the ownership report. A list is contained in the ownership reports, but stations must take care to maintain a current list in the OPIF (i.e., to update the list when a document is added or modified). A list pursuant to this requirement must be updated to contain newly executed documents, amendments, supplements, and cancellations within 30 days of execution thereof.
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Radio Issues/Programs Lists (Station Uploads)

- For each calendar quarter, lists of programs that have provided the station's most significant treatment of community issues with a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. Description of programs must contain at least time, date, duration, and title of each program in which an issue was treated. Lists must be placed in the OPIF by the tenth day of the succeeding calendar quarter.
 - Remove all issues/programs lists that do not relate to the present term of the station's broadcast license.
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Material Relating to FCC Investigation or Complaint (FCC Imports Some; Stations Upload Some)

- Copy of all material relating to any matter that is the subject of an FCC investigation or complaint to the FCC. Listener correspondence that is not the subject of an FCC investigation does not need to be uploaded.
 - Remove material from this folder only if the station has been notified in writing by the FCC that certain material may be discarded.
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Local Public Notice Announcements (Station Uploads)

- When the station airs license renewal post-filing announcements, the OPIF must contain a statement certifying compliance with the local public notice requirement. This statement must be put in the OPIF within 7 days of the last broadcast of the announcement.
- Remove statements when final action has been taken on the renewal application to which a certifying statement refers.

Political File & Sponsorship Identification (Station Uploads)

- All stations must upload to OPIF (immediately).
- Records concerning requests to purchase broadcast time by a legally qualified candidate or their authorized committee (i.e., "Candidate Ads") or that communicate a message relating to any political matter of national importance (i.e., "Third-Party Federal 'Issue' Ads").

All such records must contain the following information (please review the entirety of this checklist section):

- Whether the request to purchase broadcast time is accepted or rejected by the station;
- The rate charged for the broadcast time;
- The date and time on which the advertisement is aired;
- The class of time that is purchased;

Additionally, when such records are for a Candidate Ad, the records must also include:

- The name of the candidate to which the advertisement refers and the office to which the candidate is seeking election;

- The authorized committee of the candidate, and the treasurer of such committee;

Additionally, when such records are for a Third Party Federal "Issue" Ad, the records must also include:

- The name of the candidate(s) to which the advertisement refers and the office(s) to which the candidate(s) is/are seeking election, the election to which the advertisement refers, or all of the issues to which the advertisement refers (all as applicable);
- The name of the person or entity purchasing the time, the name, address, and phone number of a contact person for such purchaser, and a list of the chief executive officers or members of the executive committee or of the board of directors of such purchaser. When listing the entity purchasing a Third-Party Federal "Issue" Ad, stations should not use acronyms. And if an advertiser presents a station with only one name for the list of chief executive officers or members of the executive committee or board of directors of the advertiser, the station should make a single follow-up inquiry on that point.

Political File & Sponsorship Identification Lists (Station Uploads)

- Records concerning requests to purchase or furnish broadcast matter involving political issues or controversial issues of public importance (i.e., "Third-Party State or Local (Non-Federal) Issue Ads"). Such records must contain a list of chief executive officers or members of the executive committee or of the board of directors of all entities that pay for or furnish such broadcast matter.
- Remove any of the foregoing records (i.e., those related to Candidate Ads, Third-Party Federal "Issue" Ads, and Third-Party State or Local Issue Ads) after two years have passed from the last date a spot from the order aired. Stations are advised to further retain any amended records for two years after the date of the amendment.

EEO (FCC Imports Some; Stations Upload Some)

- For station employment units with 5 or more full-time employees: EEO Public File Report (every year at license renewal date) – must be uploaded by stations
- FCC Form 396 (filed with license renewal application) – imported by FCC.
- **FCC Form 397 (filed at midway point of license term) – imported by FCC. Form 397 was deregulated and eliminated in 2019; as a result, unless your last license renewal application remains pending, Ohio radio stations no longer need to maintain Form 397 in their OPIFs.
- Letter(s) from the FCC related to any random EEO compliance audit and responsive materials submitted by the station.
- Remove all materials that do not relate to the present term of the station's broadcast license.

Citizen Agreements (Station Uploads)

- Copies of any written agreements between the station and one or more citizens or citizen groups entered into for non-commercial purposes.
- Remove any agreement after its term has expired.

Time Brokerage Agreements (Station Uploads) | **Only commercial stations.**

- Copies of every agreement involving time brokerage of the licensee's station.
 - Remove each agreement after its term has expired.
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Joint Sales Agreements (Station Uploads) | **Only commercial stations.**

- Copies of every agreement for the joint sale of advertising time involving the station.
 - Remove each agreement after its term has expired.
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Shared Services Agreements (Station Uploads) | **Only commercial stations.**

- Copies of every agreement pursuant to which a station provides any station-related services, including, but not limited to, administrative, technical, sales, and/or programming support, to another station that is not directly or indirectly under common ownership or control.
 - Remove each agreement after its term has expired.
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Donor Lists (Station Uploads) | **Only non-commercial stations.**

- Lists of donors supporting specific programs.
 - Remove all donor lists that have been in the OPIF for over 2 years from the date of the broadcast of the specific program supported.
 - Lists should be updated once a program supported by a new program sponsor is broadcast.
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Information on Third-Party Fundraising (Station Uploads) | **Only non-commercial stations.**

- Only those non-commercial stations that interrupt regular programming to conduct fundraising activities on behalf of a third-party non-profit organization.
- For each calendar quarter, the following information for each third-party fundraising program or activity: The date, time, and duration of the fundraiser; the type of fundraising activity; the name of the non-profit organization benefitted by the fundraiser; a brief description of the specific cause or project, if any, supported by the fundraiser; and, to the extent that the station participated in tallying or receiving any funds for the non-profit group, an approximation of the total funds raised. Must be placed in the file by the tenth day of the succeeding calendar quarter.

ADDITIONAL REQUIREMENTS AND INFORMATION FOR "BACKUP" PAPER PUBLIC FILE LOCATION & ACCESSIBILITY

- "Back-up" political file materials are the only documents that must be located at station's offices.
- "Back-up" political file must be available during regular business hours. Appointments cannot be required.
- "Back-up" political file materials only need to be made available to public when the FCC's OPIF system is not functioning (e.g., in the event of a federal government shutdown).
- Photocopying must be available for the public. Stations can charge reasonable photocopying fees. Must have copies within 7 days.
- If such backup documents are maintained in a computer database, a computer terminal must be available at the location of the backup political files.
- Stations may require members of the public seeking access to such backup files to provide personal identification, but may not require that persons identify the organization they represent or the reason for the inspection.