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## Beyond the Public File: Station Records and Logs

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Broadcasters' recordkeeping requirements are not limited to the documents that must be placed in the station's local public inspection file. Numerous FCC rules impose additional obligations on broadcasters to maintain non-public file station records which need to be made available for FCC inspection on request.

The maintenance of complete and accurate records is an important legal requirement. Stations can be – and are – fined for incomplete records. Moreover, records provide concrete evidence of a station's operation in compliance with the rules. For example, only with adequate documentation can a station prove that it complies with the rules that require stations to inspect the transmitter, take measurements, or calibrate equipment "as often as necessary" to ensure proper station operation. *See, e.g.*, FCC Rules 73.61(a), 73.69(e), 73.664(b) & 73.1540.

The following is a summary of the FCC's recordkeeping and logging requirements that go beyond the Local Public File.

### *Station Licenses*

The station license and other FCC authorizations are to be posted in a conspicuous place, visible at all times, at the place the licensee considers to be the principal control point of the transmitter. They can be posted on the wall or maintained in a binder at the control point. FCC Rule 73.1230.

### *Chief Operator Designation*

The designation of the chief operator, and an acting or backup chief operator in the absence of the chief operator, must be in writing with a copy of the designation posted with the station license. Television stations and AM stations using a directional antenna or operating with greater than 10 kW authorized power are required to employ a Chief Operator as an employee of the station on duty for whatever number of hours each week the licensee determines is necessary to keep the station's technical operation in compliance with FCC rules and the terms of the station authorization. All other stations may engage a Chief Operator either as an employee of the station or on a contract basis. FCC Rule 73.1870.

Among the Chief Operator's specified tasks is the obligation to maintain records of the performance of his or her duties. FCC Rule 73.1870(c). These include:



1. Inspections and calibrations of the transmission system, required monitors, metering and control systems, and adjustments and repairs to them "as often as necessary to ensure proper station operation."
2. Periodic AM field monitoring point measurements, equipment performance measurements (see below), or other tests as specified in the rules or station license.
3. A weekly review of all technical records to determine that required entries are being made correctly, and to verify that the station has been operated in compliance with the rules and the station license. The Chief Operator must demonstrate that the weekly review has been done by dating and signing the documents, and must (i) initiate corrective action which is indicated by the records, and (ii) advise the licensee of any condition which is repetitive.

### *Contract with Chief Operator*

Agreements with chief operators or other engineering personnel serving on a contract basis must be in writing with a copy kept in the station's non-public files. FCC Rules 73.1226(c)(4), 73.1870(b)(3) & 73.3613(e).

### *Station Logs and Related Records*

#### Who Must Keep The Log

Entries must be made in the station log by a licensed operator in actual charge of the transmitter (usually the board operator), or by an automatic logging device. FCC Rule 73.1820(a) & (b).

#### How Readings Must Be Taken

Indications of operating parameters must be logged prior to any adjustment of the transmitter. If adjustments are made, the corrected indications must also be logged. Where a parameter is observed and recorded to be beyond specified tolerances, an additional notation must be made of the nature of the corrective action which was taken. If the value of a parameter is affected by carrier modulation, the reading must be taken without modulation. FCC Rule 73.1820(a).

#### How Entries Must Be Made

All entries must specify the date and time of the reading, and must be signed by the person taking the readings (ordinarily the operator on duty). The very signature on a station log is a representation that the information which was entered is an accurate representation of what happened. Therefore, a false or inaccurate entry can result in a claim that a misrepresentation was made to the FCC. FCC Rule 73.1800(a).



Corrections to the station log may be made only by striking through (not erasing or obliterating) the erroneous information and making a corrective explanation. Corrections must be dated and signed by the operator on duty, the chief operator, station manager, or an officer of the licensee. No auto-log may be altered in any way after entries have been recorded. No log or any portion may be erased, obliterated, or willfully destroyed during the time it is required to be retained. FCC Rule 73.1800(c).

#### How Long The Log Must Be Kept

Station logs must be retained for a period of two years. FCC Rule 73.1840(a). In two situations, retention for a longer period is required:

- (a) Logs involving communications incident to a disaster or to an FCC investigation about which the licensee has been notified. In these circumstances, station logs must be retained until the FCC specifically authorizes them to be destroyed.
- (b) Logs incident to or involved in any claim or complaint of which the licensee has notice. These must be retained until such claim or complaint has been fully satisfied, or until legal action based upon the claim or complaint has been barred by the statute of limitations.

#### Storage Medium

Station logs may be retained in any type of data-storage system, provided that viewing devices are available to permit FCC inspection of logs, the logs can be restored to full-sized copies within two business days upon request, and any corrections to logs contain sufficient information to identify what was corrected, and when and by whom the correction was made. FCC Rule 73.1840(b).

The official station log must include:

1. Emergency Alert System ("EAS"). FCC Rules 11.54(b)(12) & 73.1820(a)(1)(iii).

The EAS log must reflect the Required Weekly Tests and the Required Monthly Tests. FCC Rule 11.61. Each station must send a test message once every week on random days and times. During the week of the monthly test, no weekly test is required. The Required Monthly Test must be conducted within 60 minutes of receipt. The monthly test message is transmitted between 8:30 A.M. and sunset in odd-numbered months, and between sunset and 8:30 A.M. in even-numbered months. The EAS log needs to include not only the station's transmission of tests but also the receipt of tests from two other sources it monitors – its LP1 station and its LP2 station as designated by the State Plan of the State in which the station is located. In the event a test is not received, the licensee must determine why a required test was not received and indicate the corrective action taken in the log. FCC Rule 11.35(a). If the EAS equipment is malfunctioning, the log must show

