
Media Memo

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Quarterly Issues/ Programs List Requirements

Broadcasters must operate in the public interest. At license renewal time, the record of a broadcaster's operation is subject to review. How do the FCC and the public evaluate the broadcaster's past service in the public interest? The quarterly issues/programs list is the exclusive record of that service.

Issues/programs lists may be regarded by some as nettlesome paperwork. However, issues/programs lists are the historical foundation of a broadcast business enterprise, if it is put to a programming challenge at license renewal. Missing or insufficient issues/programs lists prevent the Commission from finding that the station has operated in the public interest.

The Commission's requirements for compiling and retaining issues/programs lists are straightforward. Every three months, all commercial and noncommercial radio and television stations must place in the local public file, a list of the most significant programs which treated issues of concern to the community of license during the preceding three-month period.

The list must include a brief narrative describing the issues that were given significant treatment and the programming that provided this treatment.

These requirements are designed to ensure that the lists provide sufficient information for the public to determine whether a licensee is meeting its public interest requirements. The lists are not intended merely to "illustrate" a station's public interest programming. They outline the licensee's "most significant programming treatment" of the issues which are of concern to the community of license.

List Preparation

Preparation of the quarterly lists has become one of the two most important ongoing regulatory requirements for broadcasters (EEO is the other vital concern). Well-prepared lists demonstrate that the licensee is offering non-entertainment programming of substance and reduce the chance that license challenges or petitions to deny will be filed.

Reference Memo

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*How Should
Issues Be Selected?*

The key to preparing the lists is to ensure that you select and take credit for "significant" public interest programming. The lists should contain your "best" non-entertainment and public affairs programs. By definition, the lists must contain the programs which provide the "most significant" treatment of issues of concern.

The Commission expects licensees to be guided by the needs of the community and their reasonable, good faith discretion in selecting issues. The Commission has suggested that a "smaller market" station may be expected to cover a wide range of community concerns, whereas a station in a larger market might consider the coverage being given to community issues by other area broadcast stations (commercial or noncommercial).

Broadcasters should consider all pressing community concerns, regardless of the coverage provided by other area stations. Assume that your station is the only source of informative programming in the community. If challenged, you must be able to "prove" that programming that is relevant to public issues has been provided on a continuing basis.

*How Many
Issues/Programs
Should Be
Included in a List?*

At one time, licensees were expected to select "at least 5 to 10 community issues/responsive programs." That requirement has been replaced by reliance on the broadcaster's good faith judgment. Licensees may decide whether to concentrate on fewer than five issues with in-depth programs, or to cover more than ten issues during a quarter. Program length, target audience, station format, etc., should be considered in determining the number of issues to be addressed.

However, the FCC has stated that a licensee whose issue-responsive programming lists contain "significant" programming directed to five to ten community issues during each quarter would "likely be able to demonstrate compliance with the issue-responsive programming obligation." A listing of fewer than five issues may involve some risk that the licensee will be found to have skimmed on its public interest obligations. Such a finding could cost the station its "renewal expectancy."

"At least 5 to 10" continues to be a good, practical guideline for each quarterly list.

*What Types of Responsive
Programs Should be Aired?*

The method by which a station responds to a particular issue is left to its discretion. Local or network public affairs programs; religious programs; agricultural programs; a series of public service announcements (PSAs); "in-depth" news commentary; and audience participation call-in programs could qualify as responding to issues. In short, any type of non-entertainment program which addresses a particular issue can be used to meet the "needs" of the community.

Similarly, there are no constraints on the length of the programs. One hour programs, 30-minute or 5-minute programs, short 1-minute "vignettes," or any combination thereof, all are permissible. Programs may be repeated, *i.e.*, on different days at different times, since the program can be presumed to reach a different audience each time it is aired.

"Local" programming counts heavily in the licensee's favor, although issue-responsive programming from any source may be utilized. Ideally, issue-responsive programming should be presented through different formats rather than a single format, such as public service announcements (PSAs) or news programs. Programs should not be scheduled at times when the listening audience is low.

*What "Elements" Must
The List Contain?*

The list must include a brief description of the issues given significant treatment and the programming that provided that treatment. Each entry must contain the following elements:

- the issue addressed;
- the issue-responsive programming, including its title and a brief narrative description;
- the date(s) each program was aired;
- the time(s) each program was aired; and
- the duration of each program.

In addition to these required elements, names and titles of distinguished persons who appear in the programs to discuss issues of concern should be included.

*Is There a Particular
Format for the List?*

No. A listing should be as extensive as necessary to provide an adequate description of the issues and the issue-responsive programming.

*What are the Local Public
File Requirements?*

The lists are to be prepared and placed in the Local Public File no later than the 10th day of the month immediately following the end of each calendar quarter: April 10 (for the preceding quarter, January 1 to March 31), July 10 (for the preceding quarter, April 1 to June 30), October 10 (for the preceding quarter, July 1 to September 30) and January 10 (for the preceding quarter, October 1 to December 31).

*Preparing an
Issues/Programs List.*

The first step in preparing an issues/programs list is to appoint an individual to be in charge of maintaining a daily record or file of all non-entertainment materials, programs, program segments, PSAs, and the like, that are broadcast by the station.

The second step is to design a format for recording the basic information. A common method is to set up a 3x5 or 5x7 card file. An entry should be

