

Virginia Association of Broadcasters

2017 Broadcast Regulatory Calendar

January 1 **Montages of “Straight Lift” Video Clips Must Be Captioned Online as of January 1, 2017.**

As of January 1, 2017, stations will be required to caption montages of video clips delivered via IP (e.g., on a station website) that contain multiple excerpts of captioned television programming with the same video and audio that was presented on the television platform (“straight lift” clips). (“Video clips” are defined by the Commission as “excerpts of full-length video programming.”)

January 1 **Enforcement Begins for Non-Payment of Unified Carrier Registration Fees.**

Broadcasters that operate vehicles whose gross vehicle weight rating (GVWR) exceeds 10,000 pounds are required to register those vehicles with, among other agencies, the Unified Carrier Registration (UCR) system. Enforcement for non-payment of fees for the 2017 Registration Year is scheduled to begin on January 1, 2017.

January 1 **Six-Month Countdown to July 1 Deadline for the Online Captioning of Video Clips of Live and Near-Live Programming.**

Internet video clips of live and near-live programming must be captioned if the programming is shown on TV in the U.S. with captions on or after July 1, 2017. For clips of live programming, up to a 12-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. For clips of near-live programming, up to an 8-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. (“Near-live” programming is defined by the FCC’s rules as programming that is “performed and recorded less than 24 hours prior to the time it first airs on television.”)

January 10 **Quarterly Issues/Programs Lists Due in Public Inspection File.**

Full power TV, Class A TV, and AM and FM radio stations are required to place in their public inspection files by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) a list of programs that have provided the station’s most significant treatment of community issues during the preceding calendar quarter. In a proceeding that has been pending at the FCC for multiple years, the FCC is considering a new, standardized form for Issues/Programs Lists, but no standardized form has been adopted yet.

Full power and Class A television stations and commercial radio stations with five or more full-time employees in the Top 50 Nielsen Audio Markets must upload Quarterly Issues/Programs Lists to the station’s online public file hosted on the FCC’s OPIF website (<https://publicfiles.fcc.gov>) where they must remain for the duration of the license term. All other radio stations should continue to place the Issues/Programs Lists in the station’s paper public inspection file where they must remain for the

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duration of the license term (or until March 1, 2018, which is the deadline for all radio stations to begin using the FCC's OPIF system).

January 10 Children's Television Programming Reports (Form 398) Due at FCC and in Public File.

Commercial full power and Class A TV stations must complete and file electronically with the FCC a Children's Television Programming Report (FCC Form 398) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th). Children's Television Programming Reports reflect efforts made by the station during the preceding quarter and efforts planned for the next quarter to serve the educational and informational needs of children. These reports must be filed through the FCC's LMS filing system, which is available at <https://enterpriseefiling.fcc.gov/dataentry/login.html>.

Once the report is filed, the FCC will automatically populate the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) with the filed report. Full power and Class A television stations should confirm that the report is accessible in the station's online public file within 24 hours after filing the report.

January 10 TV Children's Commercial Time Limits Certifications Due in Public File.

Each commercial full power and Class A TV station must upload records to substantiate the station's certification, in its license renewal application, of compliance with the commercial limits on children's programming. These records must be uploaded to the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file for the duration of the license term.

January 10 Class A TV Continuing Eligibility Certifications Due in Public File (for Class A TV Stations Only).

Class A TV stations must maintain documentation sufficient to demonstrate that the station is continuing to meet the eligibility requirements to operate as a Class A TV station. These records should be uploaded to the station's online public file in the FCC's OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file thereafter.

January 12 One Year Anniversary of the Commencement of the Incentive Auction Anti-Collusion Rule "Quiet Period."

January 12, 2016, marked the beginning of the "quiet period" during which reverse auction applicants cannot engage in prohibited communications about bidding or bidding strategy. With the Incentive Auction having been extended to multiple stages, the Quiet Period is ongoing, and January 12, 2017, marks the one-year anniversary of its commencement. The anti-collusion rules are extremely complex, and violation of

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the rules may result in severe penalties. Consultation with legal counsel about these rules is strongly recommended.

January 14 Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.

Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended November 30, 2016. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.

January 20 Presidential Inauguration.

Donald Trump is scheduled to be sworn in as the 45th President of the United States on January 20, 2017. Time will tell whether the policies of the new administration (and a Republican-controlled FCC) will result in useful deregulation for broadcasters.

January 30 Deadline to File Comments Regarding Petition to Allow Internet-Only Recruitment under the FCC's EEO Rules.

The FCC's EEO rules require stations with at least five full time employees to engage in widespread recruitment for all full-time vacancies. Such recruitment must be reasonably expected to reach the station's entire community, and the FCC has made clear that internet-only (and internet plus word-of-mouth) recruitment is insufficient to meet the requirements. In fact, the FCC has imposed thousands of dollars in fines on broadcasters who have engaged in recruitment that used only internet-based sources. The FCC has solicited comment on a petition filed by a couple of broadcasters seeking to relax the prohibition on internet-only recruitment. Comments on the petition are due January 30, 2017.

January 31 Deadline for Radio Stations to Opt Into GMR Interim License.

The RMLC and GMR (Global Music Rights) have negotiated an interim license for radio stations for music controlled by GMR. The deadline for opting into the interim license agreement is January 31, 2017. Stations must take affirmative action to avail themselves of the interim license and should contact their legal counsel (or GMR at licensing@globalmusicrights.com).

January 31 Copyright Royalty Fee/Annual Minimum Fee Statement of Account Due to SoundExchange.

Commercial and noncommercial educational webcasters and those simulcasting radio programming on the Internet must submit the Minimum Fee Statement of Account Form and the annual \$500 minimum copyright royalty fee to SoundExchange on or before January 31, 2017. Additional monthly fees may be required. Further information is available at [https://www.soundexchange.com/wp-content/uploads/2016/09/Memo-to-Obligations-FINAL.pdf](https://www.soundexchange.com/wp-content/uploads/2016/09/Memo-to-Commercial-Webcasters-CRB-Re-2017-Obligations-FINAL.pdf) (for commercial webcasters) and at <https://www.soundexchange.com/wp-content/uploads/2016/09/Memo-to->

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[Noncommercial-services-Re-2017-Obligations-FINAL.pdf](#) (for noncommercial webcasters).

- January 31** **IRS Deadlines for Employers.**
By January 31, 2017, Form W-2 wage statements must be issued to all employees, and IRS Form 1099 must be issued to every independent contractor and every contest winner who was paid \$600 or more in 2016.
- February 1** **It's A New Year!—Consider Using the [VAB's ABIP Inspection Program](#).**
Your Association, in partnership with the FCC, conducts an Alternative Broadcast Inspection Program (ABIP), which, if you pass, may result in a three-year limited immunity from certain FCC inspections. Visit the [VAB website](#) or contact the VAB for all the details about how to participate.
- February 1** **Posting Deadline for OSHA Injury & Illness Summary (Form 300A).**
Employers covered by the Occupational Safety and Health Administration (OSHA) Injury and Illness Recordkeeping Rules must post, by February 1, 2017, a summary of certain injuries and illnesses that occurred during the previous calendar year. The summary must be posted in a visible location accessible to employees from February 1, 2017, through April 30, 2017.
- February 14** **Deadline to File Reply Comments Regarding Petition to Allow Internet-Only Recruitment under the FCC's EEO Rules.**
The FCC's EEO rules require stations with at least five full time employees to engage in widespread recruitment for all full-time vacancies. Such recruitment must be reasonably expected to reach the station's entire community, and the FCC has made clear that internet-only (and internet plus word-of-mouth) recruitment is insufficient to meet the requirements. In fact, the FCC has imposed thousands of dollars in fines on broadcasters who have engaged in recruitment that used only internet-based sources. The FCC has solicited comment on a petition filed by a couple of broadcasters seeking to relax the prohibition on internet-only recruitment. Reply comments on the petition are due February 14, 2017.
- February 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended December 31, 2016. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- March 1** **One-Year Countdown to OPIF Use By All Radio Stations.**
All radio stations will be required to use the FCC's OPIF (Online Public Inspection File) system (<https://publicfiles.fcc.gov>) as of March 1, 2018. Commercial radio stations with five or more full-time employees located in the Top 50 Nielsen Audio

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Markets have been using the OPIF for all newly-created documents since June 24, 2016, and were required to upload pre-June 24, 2016, documents by December 24, 2016. As of March 1, 2017, all other radio stations will have one year to prepare for their commencement of use of the OPIF system.

- March 1** **Distribute Annual Payola/Plugola Memoranda/Affidavits to Station Personnel.**
Stations may wish to use March 1 as the date for distributing an annual payola/plugola memorandum and affidavit to station personnel to ensure compliance with the Communications Act and FCC rules governing payola, plugola, and sponsorship identification. Stations may wish to consult with their communications counsel for assistance.
- March 12** **Daylight Savings Begins at 2 a.m.: AM Stations Check Sign-On and Sign-Off Times.**
Some AM radio stations operate with Presunrise Service Authorizations (PSRAs) and Postsunset Service Authorizations (PSSAs). Those stations with PSRAs and PSSAs that are located in communities adhering to DST should make necessary power adjustments to reflect the beginning of daylight savings.
- March 17** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended January 31, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- March 20** **Spring Begins—Stations Spring Clean Public Inspection Files.**
With spring here, stations may wish to comprehensively review their public inspection files to ensure that all required documents are in the file and that no extraneous records are in the file.
- March 31** **Annual BMI/ASCAP Reports Due.**
Commercial radio stations must file their annual BMI or ASCAP reports with the appropriate licensing agency (BMI or ASCAP) by March 31, 2017.
- April 22-27** **NAB Convention, Las Vegas.**
Broadcasters come together in Las Vegas for the annual NAB Convention. Visit <http://www.nabshow.com/> for more information.

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April 10

Quarterly Issues/Programs Lists Due in Public File.

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Full power and Class A television stations and commercial radio stations with five or more full-time employees in the Top 50 Nielsen Audio Markets must upload Quarterly Issues/Programs Lists to the station's online public file hosted on the FCC's OPIF website (<https://publicfiles.fcc.gov>) where they must remain for the duration of the license term. All other radio stations should continue to place the Issues/Programs Lists in the station's paper public inspection file where they must remain for the duration of the license term (or until March 1, 2018, which is the deadline for all radio stations to begin using the FCC's OPIF system).

April 10

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April 10

TV Children's Commercial Time Limits Certifications Due in Public File.

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- April 10** **Class A TV Continuing Eligibility Certifications Due in Public File (for Class A TV Stations Only).**
Class A TV stations must maintain documentation sufficient to demonstrate that the station is continuing to meet the eligibility requirements to operate as a Class A TV station. These records should be uploaded to the station's online public file in the FCC's OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file thereafter.
- April 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended February 28, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- April 29** **Political Advertising LUC Window Opens for Virginia Primary Election.**
In 2017, Virginians will be electing a new Governor, Lieutenant Governor, Attorney General, all 100 Seats of the House of Delegates, as well as certain other state executive offices and certain local representatives and officials. The primary election is scheduled for June 13, 2017. The LUC window for the June 13 primary election will open on April 29, 2017. Broadcasters should contact their local county board of elections for details. A complete list of county boards of election is available on the Virginia Department of Elections website at <http://www.elections.virginia.gov/>. The LUC rule does not apply to non-candidate third party political advertisers.
- May 3** **Six-Month Countdown to November 3 Deadline for Stations to Report Multilingual EAS Practices/Plans to Virginia SECC.**
By November 3, 2017, all Virginia broadcast stations must report their current practices and future plans for multilingual EAS messaging to the Virginia State Emergency Communications Committee (SECC).
- May 15** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended March 31, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.

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June 1 **30-Day Countdown to July 1 Deadline for the Online Captioning of Video Clips of Live and Near-Live Programming.**

Internet video clips of live and near-live programming must be captioned if the programming is shown on TV in the U.S. with captions on or after July 1, 2017. For clips of live programming, up to a 12-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. For clips of near-live programming, up to an 8-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. (“Near-live” programming is defined by the FCC’s rules as programming that is “performed and recorded less than 24 hours prior to the time it first airs on television.”)

June 1 **Virginia Noncommercial Radio Stations Are NOT Required to File Biennial Ownership Reports by June 1, 2017. (The New Deadline is December 1, 2017.)**

Historically, noncommercial Virginia radio stations have been required to file biennial ownership reports with the FCC by June 1 of odd-numbered years (such as 2017), while noncommercial Virginia television stations have been required to file biennial ownership reports with the FCC by June 1 of even-numbered years (such as 2016). Starting in 2017, all noncommercial stations in Virginia (and elsewhere) will be required to file biennial ownership reports by December 1 of odd-numbered years, with an “as of” accuracy date of October 1 of the same year.

June 1 **Two-Year Period Closes for Virginia Radio Stations to Complete EEO Menu Option Activities.**

The FCC’s EEO rules require broadcast stations to engage in specific non-vacancy outreach efforts. Every two years, stations that have more than 10 full-time employees and are not located in a “smaller market” must engage in at least four of the initiatives on the menu, and stations that are located in a “smaller market” or have five to ten full-time employees must engage in at least two of the initiatives. Stations with fewer than five full-time employees and religious broadcasters who apply religious qualifications to all employees are not required to engage in any menu option activities. For purposes of the FCC’s EEO rules, a “full-time” employee is one who works 30 or more hours per week.

For Virginia radio stations, the current two-year period in which to complete these EEO “menu options” ends June 1, 2017. (Virginia television stations are currently in the middle of their two-year period, which will end June 1, 2018.)

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- June 1** **EEO Public File Report Due for All Virginia Stations with 5 or More Full-Time Employees.**
Virginia broadcast stations with five or more full-time employees must place their annual EEO Public File Report in their public inspection file (television stations and certain radio stations must upload the report to the station’s online public file in the FCC’s OPIF system) by June 1, 2017. All stations must also post the report to their website (if they have one) by the same date.
- June 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended April 30, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- June 18** **Six-Month Advance Notice of Deadline for Installation of ELDs in Certain Satellite Trucks.**
By December 18, 2017, vehicles used in interstate commerce that have a GVWR (Gross Vehicle Weight Rating) of more than 10,000 pounds must have ELDs (electronic logging devices) installed and in use. Many broadcasters use satellite newsgathering trucks that fit this description and will become subject to the ELD requirement, unless a vehicle meets one of the exceptions to the requirement.
- July 1** **Deadline for the Online Captioning of Video Clips of Live and Near-Live Programming.**
Internet video clips of live and near-live programming must be captioned if the programming is shown on TV in the U.S. with captions on or after July 1, 2017. For clips of live programming, up to a 12-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. For clips of near-live programming, up to an 8-hour delay is permitted in posting a captioned clip after the programming has been shown on TV. (“Near-live” programming is defined by the FCC’s rules as programming that is “performed and recorded less than 24 hours prior to the time it first airs on television.”)

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July 10

Quarterly Issues/Programs Lists Due in Public File.

Full power TV, Class A TV, and AM and FM radio stations are required to place in their public inspection files by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) a list of programs that have provided the station's most significant treatment of community issues during the preceding calendar quarter. In a proceeding that has been pending at the FCC for multiple years, the FCC is considering a new, standardized form for Issues/Programs Lists, but no standardized form has been adopted yet.

Full power and Class A television stations and commercial radio stations with five or more full-time employees in the Top 50 Nielsen Audio Markets must upload Quarterly Issues/Programs Lists to the station's online public file hosted on the FCC's OPIF website (<https://publicfiles.fcc.gov>) where they must remain for the duration of the license term. All other radio stations should continue to place the Issues/Programs Lists in the station's paper public inspection file where they must remain for the duration of the license term (or until March 1, 2018, which is the deadline for all radio stations to begin using the FCC's OPIF system).

July 10

Children's Television Programming Reports (Form 398) Due at FCC and in Public File.

Commercial full power and Class A TV stations must complete and file electronically with the FCC a Children's Television Programming Report (FCC Form 398) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th). Children's Television Programming Reports reflect efforts made by the station during the preceding quarter and efforts planned for the next quarter to serve the educational and informational needs of children. These reports must be filed through the FCC's LMS filing system, which is available at <https://enterpriseefiling.fcc.gov/dataentry/login.html>.

Once the report is filed, the FCC will automatically populate the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) with the filed report. Full power and Class A television stations should confirm that the report is accessible in the station's online public file within 24 hours after filing the report.

July 10

TV Children's Commercial Time Limits Certifications Due in Public File.

Each commercial full power and Class A TV station must upload records to substantiate the station's certification, in its license renewal application, of compliance with the commercial limits on children's programming. These records must be uploaded to the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file for the duration of the license term.

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- July 10** **Class A TV Continuing Eligibility Certifications Due in Public File (for Class A TV Stations Only).**
Class A TV stations must maintain documentation sufficient to demonstrate that the station is continuing to meet the eligibility requirements to operate as a Class A TV station. These records should be uploaded to the station’s online public file in the FCC’s OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file thereafter.
- July 15** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended May 31, 2017.
- July 31** **TV Cable and Satellite Distant Signal Copyright Claims Due to be Filed with Copyright Royalty Board.**
TV stations with “distant” carriage of locally produced programming on cable or satellite systems during the year 2016 must file claims for copyright royalties with the Copyright Royalty Board by 5:00 p.m. Eastern Standard Time, July 31, 2017.
- August 3** **Three-Month Countdown to November 3 Deadline for Stations to Report Multilingual EAS Practices/Plans to Virginia SECC.**
By November 3, 2017, all Virginia broadcast stations must report their current practices and future plans for multilingual EAS messaging to the Virginia State Emergency Communications Committee (SECC).
- August 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended June 30, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- August or September** **Regulatory Fees Due.**
FCC regulatory fees for fiscal year 2017 are likely to be due—based on historical practices—at the FCC during August or September. The Association will distribute further information, including a notification of the specific due date, to members.
- September 1** **30-Day Advance Warning: Retransmission Consent / Must Carry Elections Due October 1 for TV Stations.**
Television stations must send their retransmission consent / must carry election notices to cable and satellite providers by October 1. These elections govern carriage from January 1, 2018, through December 31, 2020.

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- September 1** **Don't Get Back-to-Schooled By the FCC!—Consider Using the [VAB's ABIP Inspection Program](#).**
Your Association, in partnership with the FCC, conducts an Alternative Broadcast Inspection Program (ABIP), which, if you pass, may result in a three-year limited immunity from certain FCC inspections. Visit the [VAB website](#) or contact the VAB for all the details about how to participate and avoid being sent to the principal's office!
- September 8** **Political Advertising Lowest Unit Charge Window Opens for General Election.**
In 2017, Virginians will be electing a new Governor, Lieutenant Governor, Attorney General, all 100 Seats of the House of Delegates, as well as certain other state executive offices and certain local representatives and officials. The general election is scheduled for November 7, 2017. The LUC window for the November 7 general election will open on September 8, 2017. Broadcasters should contact their local county board of elections for details. A complete list of county boards of election is available on the Virginia Department of Elections website at <http://www.elections.virginia.gov/>. The LUC rule does not apply to non-candidate third party political advertisers.
- September 6-8** **NAB & RAB Radio Show.**
Radio broadcasters gather in Austin, Texas, for the 2017 annual [NAB/RAB Radio Show](#).
- September 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended July 31, 2017. These forms are to be filed monthly, no later than the 45th day after the end of the relevant month.
- September 18** **Three-Month Advance Notice of Deadline for Installation of ELDs in Certain Satellite Trucks.**
By December 18, 2017, vehicles used in interstate commerce that have a GVWR (Gross Vehicle Weight Rating) of more than 10,000 pounds must have ELDs (electronic logging devices) installed and in use. Many broadcasters use satellite newsgathering trucks that fit this description and will become subject to the U.S. DOT's ELD requirement, unless a vehicle meets one of the exceptions to the requirement. U.S. DOT's FMCSA (Federal Motor Carrier Safety Administration) maintains a list on its website of certified ELDs with vendor names and contact info (here is the link: <https://3pdp.fmcsa.dot.gov/ELD/ELDLList.aspx>).
- September 30** **EEO 395-Bs Due at FCC [Currently Suspended].**
The EEO Annual Employment Report (FCC Form 395-B) generally requires broadcasters to file statistics regarding certain categories of employees and their race

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and/or ethnicity. Form 395-B is generally due to be filed with the FCC on September 30 of each year. As of the initial publication of this calendar, the Form 395-B filing requirement remains suspended.

September 30 EEO-1 Report Due to EEOC.

Certain employers are subject to the requirement to file the Employer Information Report EEO-1 with the U.S. Equal Employment Opportunity Commission's EEO-1 Joint Reporting Committee by September 30, 2017.

October 1 Retransmission Consent / Must Carry Elections Due for TV Stations.

Television stations must send their retransmission consent / must carry election notices to cable and satellite providers by October 1. These elections govern carriage from January 1, 2018, through December 31, 2020.

October 1 60-Day Advance Deadline Notice: ALL Broadcast Stations (Commercial and Noncommercial) Biennial Ownership Reports Due December 1.

Biennial Ownership Reports (FCC Form 323 and FCC Form 323-E) are due to be filed electronically with the FCC and placed in public inspection files by December 1, 2017. The Reports must be current as of October 1, 2017. This is the first time that Virginia noncommercial stations have been subject to the new December 1 (of odd-numbered years) filing deadline.

October 1 Send Out Annual FCC Ownership Questionnaires to "Attributable Parties"

Each fall all broadcast licensees should collect responses to an Annual FCC Questionnaire from all officers, directors, and other "Attributable Parties." The purpose of the Annual FCC Questionnaire is to satisfy the FCC's requirement for licensees "to make diligent, good faith efforts to become knowledgeable" of any matters that should be reported to the FCC. Stations that are preparing their Biennial Ownership Reports may wish to use their annual survey to collect data for the Biennial Ownership Report due December 1, 2017. You may wish to contact your FCC counsel to assist you with these Annual FCC Questionnaires.

October 1 Registration and Fees for 2018 Unified Carrier Registration Announced.

Broadcasters that operate vehicles whose gross vehicle weight rating (GVWR) exceeds 10,000 pounds are required to register those vehicles with, among other governmental agencies, the Unified Carrier Registration (UCR) system. Historically, applicable fees and registration details are announced on or around October 1. UCR fees for 2018 are due by the end of this year.

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Full power and Class A television stations and commercial radio stations with five or more full-time employees in the Top 50 Nielsen Audio Markets must upload Quarterly Issues/Programs Lists to the station's online public file hosted on the FCC's OPIF website (<https://publicfiles.fcc.gov>) where they must remain for the duration of the license term. All other radio stations should continue to place the Issues/Programs Lists in the station's paper public inspection file where they must remain for the duration of the license term (or until March 1, 2018, which is the deadline for all radio stations to begin using the FCC's OPIF system).

October 10 Children's Television Programming Reports (Form 398) Due at FCC and in Public File.

Commercial full power and Class A TV stations must complete and file electronically with the FCC a Children's Television Programming Report (FCC Form 398) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th). Children's Television Programming Reports reflect efforts made by the station during the preceding quarter and efforts planned for the next quarter to serve the educational and informational needs of children. These reports must be filed through the FCC's LMS filing system, which is available at <https://enterpriseefiling.fcc.gov/dataentry/login.html>.

Once the report is filed, the FCC will automatically populate the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) with the filed report. Full power and Class A television stations should confirm that the report is accessible in the station's online public file within 24 hours after filing the report.

October 10 TV Children's Commercial Time Limits Certifications Due in Public File.

Each commercial full power and Class A TV station must upload records to substantiate the station's certification, in its license renewal application, of compliance with the commercial limits on children's programming. These records must be uploaded to the station's online public file in the OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file for the duration of the license term.

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- October 10** **Class A TV Continuing Eligibility Certifications Due in Public File (for Class A TV Stations Only).**
Class A TV stations must maintain documentation sufficient to demonstrate that the station is continuing to meet the eligibility requirements to operate as a Class A TV station. These records should be uploaded to the station's online public file in the FCC's OPIF system (<https://publicfiles.fcc.gov>) by the tenth day following the end of each quarter (and if the 10th falls on a weekend or holiday, then by the first business day after the 10th) and should remain in the public file thereafter.
- October 15** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended August 31, 2017. October 15 is a Sunday. Payment in advance of the October 15 deadline is recommended.
- November 1** **30-Day Advance Deadline Notice: ALL Broadcast Stations (Commercial and Noncommercial) Biennial Ownership Reports Due December 1.**
Biennial Ownership Reports (FCC Form 323 and FCC Form 323-E) are due to be filed electronically with the FCC and placed in public inspection files by December 1, 2017. The Reports must be current as of October 1, 2017. This is the first year that noncommercial stations are subject to the December 1 (of odd-numbered years) filing deadline. Stations that haven't already begun their biennial ownership reporting process are running out of time to ensure the Reports are ready for timely filing by December 1, 2017.
- November 3** **Stations Must Report Multilingual EAS Practices/Plans to Virginia SECC.**
By November 3, 2017, all Virginia broadcast stations must report their current practices and future plans for multilingual EAS messaging to the Virginia State Emergency Communications Committee (SECC).
- November 14** **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**
Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended September 30, 2017.
- November 26** **Six-Month Countdown to May 26, 2018, Compliance Deadline for Video Description of Non-Textual Emergency Information Displayed During Non-News Programming.**
The FCC's Audible Crawl Rule has been in effect since November 2015, and all television stations must be prepared to comply with a new portion of the rule by May 26, 2018. The portion of the rule that becomes effective (after two extensions of time granted by the FCC) on May 26, 2018, relates to non-textual emergency

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information displayed on-screen during non-news programming. All such non-textual emergency information—e.g., maps, radar images, and the like—must be “translated” into spoken text for transmission on a secondary audio stream beginning May 26, 2018.

December 1 Commercial and Noncommercial Station Biennial Ownership Reports Due at FCC and in Public File.

Biennial Ownership Reports must be filed with the FCC by December 1, 2017, for all broadcast stations (commercial and noncommercial). Ownership Reports must be filed electronically on FCC Form 323 or FCC Form 323-E. This is the first time that noncommercial stations are subject to the December 1 (of odd-numbered years) filing deadline.

Once the reports are filed, the FCC will auto-import the reports into the online public files of all stations that currently maintain online public files in the OPIF system. Radio stations that are not yet subject to the online public file requirements must place a copy of the filed reports in their paper public inspection files.

December 1 DTV Ancillary/Supplementary Services Reports Due.

All digital full power, Class A, low power, and TV translator licensees (as well as permittees operating pursuant to an STA) are required to electronically file DTV Ancillary/Supplementary Services Reports (FCC Form 317) and indicate whether they have offered any “ancillary” or “supplementary” services during the prior year ending September 30. “Ancillary” or “supplementary” services are services provided on that portion of the station’s digital spectrum capacity or bitstream that is not needed to provide the required one free, over-the-air video broadcast signal, and for which the station receives compensation in return for the broadcast (e.g., computer software distribution, data transmission, teletext, interactive materials, aural messages, paging services, audio signals, subscription video). Free, over-the-air multicast program streams are not ancillary or supplementary services. Stations that have provided such services and received compensation for such services must also remit 5 percent of the gross revenue derived from the services.

December 1 30-Day Advance Reminder: DMCA “Safe Harbor” Copyright Infringement Protection—Prior Designated Agent Registrants Must Re-File By December 31, 2017.

Broadcasters operating websites that wish to avail themselves of certain copyright infringement protection under the DMCA must, among other things, register a “designated agent” with the U.S. Copyright Office. On December 1, 2016, designated agent registration became subject to a mandatory online registration process. If your station previously designated an agent using the “old” paper/email process, you will be required to submit a new designation using the new online system by no later than December 31, 2017. December 31 is a Sunday, which means stations should treat Friday, December 29, 2017, as the deadline.

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December 15 Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.

Radio stations that simulcast their stations online (and other webcasters) must file with SoundExchange their Monthly Report of Use and Monthly Usage Statement of Account forms covering the month that ended October 31, 2017.

December 18 Deadline for Installation of ELDs in Certain Satellite Trucks.

By December 18, 2017, vehicles used in interstate commerce that have a GVWR (Gross Vehicle Weight Rating) of more than 10,000 pounds must have ELDs (electronic logging devices) installed and in use. Many broadcasters use satellite newsgathering trucks that fit this description and will become subject to the U.S. DOT's ELD requirement, unless a vehicle meets one of the exceptions to the requirement. U.S. DOT's FMCSA (Federal Motor Carrier Safety Administration) maintains a list on its website of certified ELDs with vendor names and contact info (here is the link: <https://3pdp.fmcsa.dot.gov/ELD/ELDLList.aspx>).

December 31 Registration and Fees for 2018 Unified Carrier Registration Due.

Broadcasters that operate vehicles whose gross vehicle weight rating (GVWR) exceeds 10,000 pounds are required to register those vehicles with, among other governmental agencies, the Unified Carrier Registration (UCR) system. UCR fees for 2018 are due by the end of the year.

December 29/31 DMCA "Safe Harbor" Copyright Infringement Protection—Prior Designated Agent Registrants Must Re-File By December 31, 2017.

Broadcasters operating websites that wish to avail themselves of certain copyright infringement protection under the DMCA must, among other things, register a "designated agent" with the U.S. Copyright Office. On December 1, 2016, designated agent registration became subject to a mandatory online registration process. If your station previously designated an agent using the "old" paper/email process, you will be required to submit a new designation using the new online system by no later than December 31, 2017. December 31 is a Sunday, which means stations should treat Friday, December 29, 2017, as the deadline.