

# Virginia Association of Broadcasters

## 2019 Broadcast Regulatory Calendar

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**January 3**      **Five Month Countdown to Deadline for Filing Virginia Radio Renewal Applications.**

License renewal applications (FCC Form 303-S) for all commercial and noncommercial Virginia radio stations—AM, full power FM, FM translator, FM booster, and LPFM—are due by Monday, June 3, 2019. Stations should spend the next five months undertaking their due diligence and preparing to be ready for the license renewal filing deadline—for example, this would be a good time for full power radio stations to carefully and thoroughly review the records and documents in their online public inspection files. Stations should consult with their FCC counsel to prepare for this significant deadline.

**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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) 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.

All stations must upload Quarterly Issues/Programs Lists to the FCC's online public inspection file ("OPIF") system hosted on the FCC's OPIF website (<https://publicfiles.fcc.gov>), where they must remain for the duration of the license term.

**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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). 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.**

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Each commercial full power and Class A TV station must upload records to substantiate the station's certification, made 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file thereafter.

**January 10**      **Certain Noncommercial Stations That Conducted On-Air Fundraising for a Third Party Non-Profit During the Prior Calendar Quarter Must Upload a Report of Such Activity to the Online Public File.**

The FCC allows non-CPB noncommercial stations to engage in a limited amount of on-air fundraising for third party non-profit entities. For stations who engage in such activities, certain records must be uploaded into the online public file by the tenth day of the calendar quarter following the quarter in which such fundraising activities were conducted, and the records must be retained for at least the duration of the license term. Records relating to on-air fundraising activities for the benefit of third-party non-profit entities must include: (i) date, time, and duration of the fundraiser; (ii) the type of fundraising activity; (iii) the name of the non-profit organization benefitted by the fundraiser; (iv) a brief description of the specific cause or project, if any, supported by the fundraiser; and, (v) to the extent that the station participated in tallying or receiving any funds for the nonprofit group, an approximation of the total funds raised.

**January 10**      **Transition Progress Reports Due for Certain Full Power and Class A TV Stations.**

Full power and Class A transitioning stations that are changing channels in the post-auction transition are required to file a Form 387 Transition Progress Report on a quarterly basis by the tenth day following the end of each quarter (and if the 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). Transition Progress Reports must provide information regarding steps stations have taken toward construction of their post-auction facilities.

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

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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, 2018. These forms are to be filed monthly, no later than the 45<sup>th</sup> day after the end of the relevant month.

**January 18 Blue Alert EAS Code Deadline.**

In 2017, the FCC adopted a rule to allow “Blue Alerts”—which are typically used when a law enforcement officer has sustained a serious or fatal injury and a suspect is at large—to be transmitted via EAS. January 18, 2019, is the compliance deadline for EAS manufacturers to offer equipment and/or software upgrades to stations that voluntarily wish to have EAS Blue Alerting capabilities. To be clear, stations are not required by the FCC to use the new “BLU” EAS code.

**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, 2019. Additional monthly fees may be required. Further information is available on the SoundExchange website at <https://www.soundexchange.com/wp-content/uploads/2016/09/Memo-to-Commercial-Webcasters-CRB-Re-2019-Obligations-Final-11-20-2018.pdf> (for commercial webcasters) and at <https://www.soundexchange.com/wp-content/uploads/2016/09/Memo-to-Noncommercial-services-Re-2019-Obligations-Final-11-20-18.pdf> (for noncommercial webcasters).

**January 31 IRS Deadlines for Employers.**

By January 31, 2019, Form W-2 wage statements must be issued to all employees, and IRS Form 1099 must be issued to every independent contractor and to every contest winner who was paid \$600 or more in 2018.

**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, 2019, 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, 2019, through April 30, 2019.

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- February 14**     **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**  
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- 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 1**         **Three Month Countdown to Deadline for Filing Virginia Radio Renewal Applications.**  
License renewal applications (FCC Form 303-S) for all commercial and noncommercial Virginia radio stations—AM, full power FM, FM translator, FM booster, and LPFM—are due by Monday, June 3, 2019. Stations have three more months to complete their due diligence be ready for the license renewal filing deadline. Stations should consult with their FCC counsel to prepare for this significant deadline.
- March 10**       **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 15**       **Copyright Royalty Monthly Report of Use and Monthly Usage Statement of Account Due to SoundExchange.**  
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- March 20**       **Virginia Radio Stations Begin Preparing for Renewal Filings.**  
License renewal applications (FCC Form 303-S) for all commercial and noncommercial Virginia radio stations—AM, full power FM, FM translator, FM booster, and LPFM—are due by Monday, June 3, 2019. With the first pre-filing announcements scheduled to be aired on April 1, now is a good time for Virginia radio stations to begin working in earnest on their license renewal materials.

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- 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 23**      **Deadline for FCC to Adopt Reimbursement Rules for FM, TV Translator, and LPTV Stations Displaced By the Post-Auction Television Transition.**  
The FCC is required to adopt final rules by March 23, 2019, to govern the reimbursement process for eligible TV translator and LPTV stations that are displaced by the post-Auction transition and for FM stations (including FM translators) that are affected by the transition process of full power and Class A television stations.
- March 31**      **Expiration of GMR Extended Interim License Agreement.**  
In late December 2016, GMR (Global Music Rights) made available to radio stations an interim license agreement pending the resolution of litigation between GMR and the RMLC, giving stations the opportunity to avoid potential copyright infringement if they played songs in GMR’s repertory. GMR made the interim license available to all radio stations until January 31, 2017—for those stations that opted in, the (initial) term of the interim license was for nine months, commencing January 1, 2017 and ending September 30, 2017. With the RMLC-GMR litigation continuing, GMR has offered multiple times to extend the interim license for additional six-month periods, with the most recent period extending through March 31, 2019. Note that the interim GMR license applies only to commercial radio stations. A separate compulsory license under copyright law generally covers terrestrial broadcasts (but not Internet streaming) for noncommercial radio stations.
- April 1**        **Pre-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Prior to the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air pre-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during April and May. Consult the VAB’s radio renewal guide or your FCC counsel about the content and timing of these announcements.
- April 6-11**    **NAB Convention, Las Vegas.**  
Broadcasters come together in Las Vegas for the annual NAB Convention. Visit <http://www.nabshow.com/> for more information.
- April 9**        **Radio Stations Streaming Pre-1972 Sound Recordings Must File “Notices of Contact Information.”**  
Stations that were streaming—as of October 11, 2018—Pre-1972 Sound Recordings without complying with SoundExchange requirements, must file, by April 9, 2019, a “Notice of Contact Information” with the U.S. Copyright Office in order to limit certain potential copyright liabilities pursuant to the Classics Protection and Access Act. A station that does not file the contact information by April 9, 2019, may be liable for statutory damages and/or attorneys’ fees without rights owners first being

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obligated to send the station a direct notice of unauthorized use. Stations that may have streamed Pre-1972 Sound Recordings without complying with SoundExchange requirements should contact their legal counsel.

### **April 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) 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.

All stations must upload Quarterly Issues/Programs Lists to the FCC's online public inspection file ("OPIF") system hosted on the FCC's OPIF website (<https://publicfiles.fcc.gov>), where they must remain for the duration of the license term.

### **April 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). 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://enterprise filing.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.

### **April 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, made 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file for the duration of the license term.

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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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file thereafter.
- April 10**      **Certain Noncommercial Stations That Conducted On-Air Fundraising for a Third Party Non-Profit During the Prior Calendar Quarter Must Upload a Report of Such Activity to the Online Public File.**  
The FCC allows non-CPB noncommercial stations to engage in a limited amount of on-air fundraising for third party non-profit entities. For stations who engage in such activities, certain records must be uploaded into the online public file by the tenth day of the calendar quarter following the quarter in which such fundraising activities were conducted, and the records must be retained for at least the duration of the license term. Records relating to on-air fundraising activities for the benefit of third-party non-profit entities must include: (i) date, time, and duration of the fundraiser; (ii) the type of fundraising activity; (iii) the name of the non-profit organization benefitted by the fundraiser; (iv) a brief description of the specific cause or project, if any, supported by the fundraiser; and, (v) to the extent that the station participated in tallying or receiving any funds for the nonprofit group, an approximation of the total funds raised.
- April 10**      **Transition Progress Reports Due for Certain Full Power and Class A TV Stations.**  
Full power and Class A transitioning stations that are changing channels in the post-auction transition are required to file a Form 387 Transition Progress Report on a quarterly basis by the tenth day following the end of each quarter (and if the 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). Transition Progress Reports must provide information regarding steps stations have taken toward construction of their post-auction facilities.
- April 12**      **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, 2019. These forms are to be filed monthly, no later than the 45<sup>th</sup> day after the end of the relevant month.
- April 16**      **Pre-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Prior to the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air pre-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the

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month during April and May. Consult the VAB's radio renewal guide or your FCC counsel about the content and timing of these announcements.

- April 27**      **Political Advertising LUC Window Opens for Virginia Primary Election.**  
In 2019, Virginians will be electing all 100 Seats of the House of Delegates, all 40 Seats of the Virginia Senate, as well as certain local representatives and officials. The primary election is scheduled for June 11, 2019. The LUC window for the June 11 primary election will open on April 27, 2019. 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 1**      **Pre-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Prior to the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air pre-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during April and May. Consult the VAB's radio renewal guide or your FCC counsel about the content and timing of these announcements.
- 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, 2019. These forms are to be filed monthly, no later than the 45<sup>th</sup> day after the end of the relevant month.
- May 16**      **Pre-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Prior to the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air pre-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during April and May. Consult the VAB's radio renewal guide or your FCC counsel about the content and timing of these announcements.
- May 23**      **Deadline for Virginia Radio Stations to Upload License Renewal Pre-Filing Announcement Certification to OPIF.**  
Virginia radio stations must post in their online public file a statement certifying compliance with the applicable post-filing announcement requirements, including the dates and times that post-filing notices were broadcast and the text of the announcements, within 7 days of the last day of broadcast of the required on-air announcements (i.e., by May 23, 2019).
- June 1**      **Commencement of Atlantic Hurricane Season Serves to Remind TV Stations of Compliance Obligations Under the FCC's Emergency Access Rules.**  
All television stations are required to comply with the FCC's emergency access rules, and the June 1 onset of the Atlantic Hurricane Season is a good reminder that the FCC



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has fined stations for failing to comply with their obligations. A copy of the FCC's 2018 emergency access Public Notice is available here: <https://docs.fcc.gov/public/attachments/DA-18-902A1.pdf>.

- June 3**      **Deadline for Virginia Radio Stations to File License Renewal Applications.**  
License renewal applications (FCC Form 303-S) for all commercial and noncommercial Virginia radio stations—AM, full power FM, FM translator, FM booster, and LPFM—are due by Monday, June 3, 2019. Stations are encouraged to consult with their FCC counsel in connection with this important deadline.
- June 3**      **Deadline for Virginia Radio Stations to File FCC Form 396 Broadcast EEO Program Report.**  
Virginia radio stations filing license renewal applications must also file FCC Form 396—the Broadcast EEO Program Report—by June 3, 2019. This requirement does not apply to LPFM and FM translator stations.
- June 1/June 3**      **Post-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Following the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air post-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during June, July, and August. Depending on when your station files its license renewal application, you will need to commence these announcements on June 1 and no later than June 3. Consult the VAB's radio renewal guide or your FCC counsel about the content and timing of these announcements.
- June 3**      **Virginia FM Translator Newspaper Publication of Post-Filing Notice of License Renewal.**  
FM translator stations that are not being renewed with the primary station being rebroadcast must publish the text of the Post-Filing Announcement at least once immediately after the filing of the license renewal application. The notice should be published in a daily, weekly, or biweekly newspaper of general circulation in the community or area served. If there is no newspaper the licensee should post the required notice in a public place and keep a copy of the local public notice for reference.
- June 3**      **Two-Year Period Closes for Virginia Radio Stations to Complete EEO Menu Option Activities.**  
The FCC's EEO rules require broadcast stations with at least five full-time employees 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

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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 3, 2019. (Virginia television stations are currently in the middle of their two-year period, which will end June 1, 2020.)

**June 3**      **EEO Public File Report Due for All Virginia Stations with 5 or More Full-Time Employees.**

Each Virginia broadcast station with five or more full-time employees must upload its annual EEO Public File Report to the station's online public inspection file in the FCC's OPIF system by June 3, 2019. Stations must also post the report to the station's own website (if they have one) by the same date.

**June 11**      **Primary Election in Virginia.**

In 2019, Virginians will be electing all 100 Seats of the House of Delegates, all 40 Seats of the Virginia Senate, as well as certain local representatives and officials. The primary election is scheduled for June 11, 2019. The LUC window for the June 11 primary election opened on April 27, 2019. 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.

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

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**June 16**      **Post-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**

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**July 1**      **Post-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**

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Class A TV stations must maintain documentation sufficient to demonstrate that the

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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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file thereafter.

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- 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 2018 must file claims for copyright royalties with the Copyright Royalty Board by 5:00 p.m. Eastern Standard Time, July 31, 2019.
- August 1**      **Post-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Following the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air post-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during June, July, and August. Consult the VAB’s radio renewal guide or your FCC counsel about the content and timing of these announcements.
- 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, 2019. These forms are to be filed monthly, no later than the 45<sup>th</sup> day after the end of the relevant month.
- August 16**      **Post-Filing License Renewal Announcement Must Air on Virginia Radio Stations.**  
Following the filing of license renewal applications by the June 3, 2019, deadline, Virginia radio stations must air post-filing announcements on the 1<sup>st</sup> and 16<sup>th</sup> of the month during June, July, and August. Consult the VAB’s radio renewal guide or your FCC counsel about the content and timing of these announcements.
- August 23**      **Deadline for Virginia Radio Stations to Upload License Renewal Post-Filing Announcement Certification to OPIF.**  
Virginia radio stations must post in their online public file a statement certifying compliance with the applicable post-filing announcement requirements, including the dates and times that post-filing notices were broadcast and the text of the announcements, within 7 days of the last day of broadcast of the required on-air announcements (i.e., by August 23, 2019).
- August or September**      **Regulatory Fees Due.**  
FCC regulatory fees for fiscal year 2019 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**      **Don’t Get Back-to-Schooled By the FCC!—Consider Using the [VAB’s ABIP Inspection Program](#).**  
Your Association, in partnership with the FCC, administers an Alternative Broadcast

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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 obtain the benefits of the ABIP and avoid being sent to the principal's office!

**September 6 Political Advertising Lowest Unit Charge Window Opens.**

In 2019, Virginians will be electing all 100 Seats of the House of Delegates, all 40 Seats of the Virginia Senate, as well as certain local representatives and officials. The general election is scheduled for November 5, 2019. The LUC window for the November 5 general election will open on September 6, 2019. 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 13 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, 2019. These forms are to be filed monthly, no later than the 45<sup>th</sup> day after the end of the relevant month.

**September 24-27 NAB & RAB Radio Show.**

Radio broadcasters gather in Dallas, Texas, for the 2019 annual [NAB/RAB Radio Show](#).

**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 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, 2019.

**October 1 "As of" Date for 2019 Biennial Ownership Reports—Send Out Annual FCC Ownership Questionnaires to "Attributable Parties".**

Biennial Ownership Reports (FCC Form 323 for commercial stations and FCC Form 323-E for noncommercial stations) for 2019 are due to be filed electronically with the FCC by December 2, 2019. The Reports must be current as of October 1, 2019. To facilitate the biennial ownership reporting process, all broadcast licensees should

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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, and it makes the biennial reporting process easier. You may wish to contact your FCC counsel to assist you with the Biennial Ownership Reports and Annual FCC Questionnaires.

**October 1      Registration and Fees for 2019 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 2020 are due by the end of 2019.

**October 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) 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.

All stations 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.

**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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). 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.

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- 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, made 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file for the duration of the license term.
- 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 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>) and should remain in the public file thereafter.
- October 10**     **Certain Noncommercial Stations That Conducted On-Air Fundraising for a Third Party Non-Profit During the Prior Calendar Quarter Must Upload a Report of Such Activity to the Online Public File.**  
The FCC allows non-CPB noncommercial stations to engage in a limited amount of on-air fundraising for third party non-profit entities. For stations who engage in such activities, certain records must be uploaded into the online public file by the tenth day of the calendar quarter following the quarter in which such fundraising activities were conducted, and the records must be retained for at least the duration of the license term. Records relating to on-air fundraising activities for the benefit of third-party non-profit entities must include: (i) date, time, and duration of the fundraiser; (ii) the type of fundraising activity; (iii) the name of the non-profit organization benefitted by the fundraiser; (iv) a brief description of the specific cause or project, if any, supported by the fundraiser; and, (v) to the extent that the station participated in tallying or receiving any funds for the nonprofit group, an approximation of the total funds raised.
- October 10**     **Transition Progress Reports Due for Certain Full Power and Class A TV Stations.**  
Full power and Class A transitioning stations that are changing channels in the post-auction transition are required to file a Form 387 Transition Progress Report on a quarterly basis by the tenth day following the end of each quarter (and if the 10<sup>th</sup> falls on a weekend or holiday, then by the first business day after the 10<sup>th</sup>). Transition Progress Reports must provide information regarding steps stations have taken toward construction of their post-auction facilities.



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- 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, 2019.
- November 1**     **One-Month Advance Deadline Notice: All Broadcast Stations Must File 2019 Biennial Ownership Reports By December 2, 2019.**  
Biennial Ownership Reports (FCC Form 323 for commercial stations and FCC Form 323-E for noncommercial stations) for 2019 are due to be filed electronically with the FCC by December 2, 2019. The Reports must be current as of October 1, 2019. 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 2, 2019.
- November 3**     **Daylight Savings Ends 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 end of daylight savings.
- 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, 2019.
- December 1**     **Six-Month Countdown to Due Date for Virginia Television Renewal Applications.**  
By June 1, 2020, all commercial and noncommercial television stations—full power, Class A, LPTV, and TV translator—licensed to communities in Virginia will be required to file license renewal applications. As of December 1, 2019, there are six months left until the renewal deadline.
- December 2**     **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) that offered any “ancillary” or “supplementary” services during the prior year ending September 30 are required to electronically file DTV Ancillary/Supplementary Services Reports (formerly known as FCC Form 317; currently known as FCC Form 2100, Schedule G). 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.

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**December 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 October 31, 2019.

**December 31 Registration and Fees for 2020 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 2020 are due by the end of the year.