



Virginia Association of Broadcasters Legal Review



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August 26, 2019

Legal Memorandum

In this issue, please find information about

Reminders: **August 28:** [FCC Repack Reimbursement Webinar for LPTV, TV Translator and FM Stations](#)

September 20: [New Comment Deadline on FCC's Review of EEO Practices](#)

August 28: FCC to Host Webinar on Repack Reimbursement Procedures for LPTV, TV Translator, and FM Stations

We write with a reminder that the FCC will host a webinar this Wednesday, August 28, 2019, from 11 a.m. to noon ET, outlining procedures for reimbursing low power television (LPTV), TV translator, and FM broadcast stations that have been affected by the post-incentive auction repack. According to the FCC, the webinar will be accessible [here](#).

The webinar will cover the following topics: filing of the FCC's Reimbursement Form (FCC Form 2100, Schedule 399) including discussion of the eligibility criteria for reimbursement; providing estimates of reimbursable costs; submitting invoices for actual expenses incurred; and it will also provide an overview of the allocation and payment processes, among other items.

Wednesday's webinar comes on the heels of the FCC's [recent announcement](#) that the initial filing deadline for reimbursement submissions by LPTV, TV translator, and FM stations that have been affected by the post-incentive auction repack is **11:59 PM on October 15, 2019**.

For those broadcasters unable to attend the webinar live, a link to the recording of the webinar will be made available by going to [this website](#) and navigating to the “Education” tab.

Comments on FCC’s NPRM on Improving EEO Compliance and Enforcement Now Due September 20

Comments on the FCC’s [Notice of Proposed Rulemaking](#) (the “Notice”) seeking comment on how the Commission can improve its equal employment opportunity (“EEO”) compliance and enforcement efforts are due September 20. Reply comments are due November 4. (Initially, the comment and reply comment deadlines had been earlier, but the FCC granted a request to extend the time periods within which to file them.)

Broadcasters may recall that the Notice seeks comment on the following topics, among other things:

- analyses of the effectiveness of or potential improvements to the Commission’s current EEO enforcement efforts;
- whether elements of the FCC’s EEO enforcement program should be eliminated or added to increase enforcement effectiveness;
- how, if at all, the Commission’s EEO audit process should be modified to allow the FCC to better verify whether hiring decisions were made before or after the posting of job openings, and to ensure that the audit process uncovers discrimination at the distinct points of recruitment, interviewing, and selection; and
- any other suggested types of enforcement or compliance initiatives that would help deter discrimination in the broadcast and MVPD industries.

The Commission in the Notice requests particularized support for any commenter’s proposals, including relevant data or studies, suggestions for overcoming any implementation difficulties, and a comparison of the relative costs and benefits of such proposals.

Last month, a coalition of 82 broadcasters filed [comments](#) on the Notice asking, among other things, for the FCC to raise the “small station” exemption from EEO rules from five full-time employees to fifty full-time employees in order to reduce burdens and costs on small broadcast entities.

If you have any questions concerning the information discussed in this memorandum, please contact your communications counsel or any of the undersigned.

Tim Nelson, Editor

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