



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
April 27, 2012

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FCC MODERNIZES BROADCAST TELEVISION PUBLIC INSPECTION FILES TO GIVE THE PUBLIC ONLINE ACCESS TO INFORMATION PREVIOUSLY AVAILABLE ONLY AT TV STATIONS

“Common sense” update to harness broadband to increase transparency

Washington, D.C. - Broadcasters have kept what are now known as “public files” on paper since 1965 as part of their longstanding obligation to disclose community-relevant information for public review. The public has been able to exercise its right to this information only by visiting a broadcast station and asking to see the public file. Today, without introducing any new substantive requirements, the Federal Communications Commission (FCC) updated the existing disclosure procedures to move the public file from paper to the Internet. Chairman Julius Genachowski and Commissioner Mignon Clyburn voted to affirm the entire order, which includes requiring the broadcasters' public file - including the political file - be moved online over a two year period. Commissioner McDowell dissented to the portions of the Order requiring the political file to be posted online.

Specifically, the Second Report and Order requires television stations to post their public files online in a central, Commission-hosted online database rather than maintaining paper files locally at their main studios. The Order modernizes the filing process, making it easier for consumers to access information about their broadcast services without having to travel to the station's main studio.

In 2002, Congress directed the Commission to ensure public availability of the political files. The Second Report and Order tailors the uploading of the political portion of the public file to minimize broadcaster burdens. Broadcasters will not be required to upload existing materials in these “political files” to the online website. Rather, stations will need only to upload new political file documents going forward. In addition, for the next two years only stations that are affiliated with the top four national networks (ABC, NBC, CBS, and Fox) and are licensed to serve communities in the top 50 Designated Market Areas (DMAs) are required to post political file documents online.

The Second Report and Order departs from the Further Notice of Proposed Rulemaking (FNPRM) in a number of respects to ensure public benefits while avoiding compliance costs for broadcasters. Specifically, broadcasters will be responsible for uploading only those items now required to be in the public file but not otherwise filed with the Commission or available on the Commission's website. In addition, broadcasters will not be required to place disclosures of sponsorship identifications and shared services agreements in the online file at this time, as proposed in the FNPRM.

Action by the Commission April 27, 2012 by Second Report and Order (FCC 12-44). Chairman Genachowski and Commissioner Clyburn with Commissioner McDowell approving in part, dissenting in part. Separate statements issued by Chairman Genachowski, Commissioners McDowell and Clyburn.

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