

Educational Noncommercial Broadcast Service
Educational Television Service
Logs, Maintenance of
Program Logs for Educational Stations
Programming Considerations
Programming Requirements

Public radio and television stations deregulated; formal ascertainment requirements deleted and program logging requirements revised.

—*Public B/cing*

BC Docket No. 81-496

FCC 84-294

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON, D.C. 20554

In the Matter of

Revision of Program Policies and Reporting
Requirements Related to Public Broadcast-
ing Licensees.

BC Docket
No. 81-496

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: June 27, 1984; Released: August 22, 1984

BY THE COMMISSION:

Introduction

1. This proceeding began with the adoption of a *Notice of Proposed Rule Making* on July 30, 1981. 46 Fed. Reg. 55125, published November 6, 1981.¹ The *Notice* invited comments on deregulatory steps to remove unnecessary or outdated public broadcasting² programming and reporting requirements. Proposals were made in three areas: (1) *General*

¹ The proceeding also included a petition for rule making which had been filed by National Public Radio requesting deregulation of various aspects of public radio station operation.

² Although generally referred to as public broadcasting stations, these stations are classified in the Commission's rules as "noncommercial educational FM stations" or "noncommercial educational television stations." "Noncommercial" and "public" broadcasting are used interchangeably in this *Report and Order*.

Programming Responsibility, (2) Ascertainment Requirements and (3) Program Logging Requirements.

2. The proposals were set forth in the context of a series of Commission actions dealing with deregulation. In particular, the *Notice* referred to proceedings leading to the deregulation of commercial radio (BC Docket No. 79-219)³ and to the proceeding in BC Docket No. 80-253 that led to a major simplification of the procedures to be followed when seeking renewal of a station's license.⁴ In addition to these references, the *Notice* also discussed the history of public broadcasting and the evolution of the regulatory strictures applied to it.

The Nature of Public Broadcasting and Its Regulation

3. From its beginning as a primarily instructional service, public broadcasting has evolved into a much broader noncommercial service.⁵ Most of the early stations were FM stations connected with educational institutions or school systems. For the most part, they were used as a vehicle for delivering instructional programming, and in many cases they were considered as a training ground for students who operated the station. While there were early exceptions, most of what we now consider as public broadcasting is a relatively new development. The broadened scope of expectations in regard to public broadcast stations and the service they provide were clearly set forth in the House Report 97-82 on H.R. 3238, the Public Broadcasting Amendments Act of 1981 (Public Law 97-35):

[T]he existing Act clearly emphasizes the intent of Congress that diverse programming with sensitivity to the diverse needs, interests and concerns of our Nation's people, which may be underserved by commercial broadcasting, remain central to the unique service provided by Public Broadcasting. [At p. 11.]

4. Over the years the Commission has developed a body of law dealing with the programming obligations of broadcast licensees. The most definitive expression is found in the *1960 Policy Statement*.⁶ While the

³ *Deregulation of Radio*, 84 F.C.C. 2d 968, *recon. granted in part*, 87 F.C.C. 2d 797 (1981), *aff'd in part and remanded in part sub nom. Office of Communication of the United Church of Christ v. F.C.C.*, 707 F.2d 1413 (D.C. Cir. 1983) (Hereinafter, *UCC v FCC*).

⁴ On March 26, 1981, the Commission adopted new and simplified procedures for license renewals which were applied to all broadcast stations, commercial and public, television and radio. 49 RR 2d 740, *recon. denied*, 50 RR 2d 704 (1981), *aff'd Black Citizens for a Fair Media v. F.C.C.*, 719 F.2d 407 (D.C. Cir. 1983).

⁵ The history of public broadcasting can be traced as far back as 1934. Section 307(c) of the Communications Act of 1934 required the Commission to study the possibility of reserving facilities for noncommercial radio use.

⁶ "The confines of the licensee's duty are set by the general standard of the public interest, convenience or necessity. . . . The principal ingredient of such obligation consists of a diligent, positive and continuing effort by the licensee to discover and fulfill the tastes, needs and desires of his service area. If he has accomplished this, he has met his public

1960 Policy Statement accentuated the degree of Commission involvement in the programming area, formal ascertainment, as the term is now understood, was not a part of that process. An applicant for a new station or for renewal was required to be knowledgeable about its community of license and its environs. However, no particular method for obtaining this information was specified.

5. Gradually, the Commission formalized the ascertainment process. Thus, on February 18, 1971, the Commission adopted a *Primer* for new station applicants regarding the ascertainment of community problems and the presentation of programs to meet those problems.⁷ Later, separate procedures were developed for renewal applicants. See *Renewal Primer*, 57 F.C.C. 2d 418 (1975), 41 Fed. Reg. 1372. Although these procedures were directly applicable only to commercial stations, the Commission had held that public stations also had a duty to ascertain community needs and to program to meet those needs. Ultimately, the Commission adopted specific procedures for public television and radio applicants and licensees. Public television stations were treated in a fashion similar to commercial stations, but somewhat less formalized ascertainment requirements were applied.

6. Public television stations had to observe four specific requirements designed to show that local needs had been properly ascertained and that programs to respond to those needs had been developed. The public television licensee was required to:

- (1) Complete and place in its public file demographic data on its community of license;
- (2) Conduct interviews with community leaders representative of all significant groups, following a checklist of leader categories;
- (3) Conduct a general public survey, either using the traditional random sample method mandated for commercial stations, or by call-in programs or public meetings;
- (4) Compile, place annually in the public file, and submit with each application a problems/programs list such as is required of public radio and commercial licensees.

7. Public radio licensees were allowed more flexibility. They were permitted to ascertain by any reasonable method that was designed to provide them with an understanding of the problems, needs and interests of their service areas. The process was to be documented by an annually prepared narrative report and problems/programs list. The narrative report detailed the sources consulted and the methods followed in conducting the ascertainment. It also summarized the principal needs and

responsibility." *Report and Statement of Policy re: Commission en Banc Programming Inquiry (Policy Statement)*, 44 F.C.C. 2303 at 2312 (1960).

⁷ 27 F.C.C. 2d 650 (1971), 36 Fed. Reg. 4092 (March 3, 1971).

interests discovered. In addition, each year radio licensees were required to prepare a list of up to 10 problems ascertained in the past 12 months, together with examples of programs broadcast to meet those problems. The narrative statement and the problems/programs lists were to be placed in the station's public file. They also were to be submitted as part of the next application for license renewal. New applicants were required to file with the Commission a similar narrative report and problems list. However, the programs pertaining to the ascertained problems were listed prospectively rather than retrospectively. Class D FM stations were exempted from all formal ascertainment requirements.⁸

8. When these requirements were adopted, the Commission also adopted new forms with which to implement the changes. Several months later, the program logging rules were changed to bring the program categories specified therein in line with the program categories being used in the renewal form.⁹ At that time public licensees were also required to make the logs available for public inspection and to submit them to the Commission upon request.¹⁰

The Notice of Proposed Rule Making

9. This proceeding was begun to explore the degree to which social and market forces could be relied upon to function as a substitute for governmental regulation of public stations. Another reason compels us to reexamine existing programming regulations governing public stations, particularly those receiving substantial funding through grants from the Corporation for Public Broadcasting and the National Telecommunications and Information Administration. Federal funding for these public broadcasting stations has been substantially reduced, and therefore the costs of meeting unnecessary regulatory burdens may have an adverse effect on the service these stations are able to provide.

10. With these points in mind, the Commission proposed a series of options ranging from ending the requirements entirely (or at least greatly reducing them) to retaining existing requirements. The options were:

⁸ Class D stations were given special treatment for two reasons. First, they have operated with only 10 watts transmitter output power and thus have had a highly restricted coverage area. In addition, they were often connected with schools or colleges, serving an audience concentrated there. Many were designed to play a special educational function at the school as a training ground for the students rather than being designed to provide a broader service to the public at large.

⁹ *Amendment of the Commission's Rules and Regulations Concerning Program Logs for Noncommercial Educational Broadcast Stations*, 62 F.C.C. 2d 120 (1976).

¹⁰ *Revision of Application for Renewal of License of Commercial AM, FM and Television Licensees*, 46 Fed. Reg. 26236 (May 11, 1981). Public broadcast stations now utilize the new "short form" renewal application and are subject to the long form audit requirement and to on-site inspection by the Commission's Mass Media Bureau.

General Program Responsibility

- (1) Eliminate all Commission programming oversight not based on the "consideration received"¹¹ rules or specific statutory requirements.
- (2) Retain a programming obligation broader than (1) above but rely on licensee good faith as much as possible as to the manner of responding to local needs.
- (3) Retain current responsibility to respond to all significantly expressed community needs but permit some specialization.
- (4) Retain current requirements in full.

Ascertainment

- (1) Eliminate the ascertainment obligation and existing ascertainment procedures.
- (2) Retain an ascertainment obligation but allow the use of any reasonable means to fulfill this obligation; no documentation would be required to be filed.
- (3) Same as (2) above except that records would be maintained in the public file and/or submitted to the Commission.
- (4) Retain the current requirements while eliminating the most costly or least cost effective parts.
- (5) Retain the current requirements in full.

Program Logs

- (1) Eliminate program logging requirements.
- (2) Establish a limited logging obligation as a substitute for the present requirements.
- (3) Retain the present logging requirements.

11. Comments and reply comments were received from a wide variety of parties, including licensees, associations, law firms, citizens groups and individuals.¹² The comments ranged from one page letters to voluminous filings examining the pertinent issues in great detail. A summary of these filings is contained in Appendix C.

*Discussion**Programming*

12. Although the *Notice* raised the matter of the general programming obligations of public licensees, no specific deregulation is indicated in this area in view of the absence of processing guidelines such as those that have been applied to commercial stations. Moreover, even option 1, the broadest proposal in the programming area, did little more than reflect our traditional reliance on public licensees' good faith discretion and judgment in discharging their programming obligation to address

¹¹ Sections 73.503 and 73.621 of the Commission's Rules then barred public radio and television stations, respectively, from receiving consideration for programs or announcements.

¹² Appendix B lists the parties filing comments and reply comments in this proceeding.

community issues.¹³ We intended no departure from this successful and minimally intrusive regulatory approach. Accordingly, we do not believe it necessary to discuss in detail the various options raised in the *Notice*. We do believe, however, that a brief review of the special status of public broadcasting and the implications of this status in terms of programming responsibilities is appropriate.

13. Public broadcasting is explicitly encouraged by various Commission rules and policies. Perhaps most notable among these is our spectrum reservation policy whereby noncommercial stations are afforded protected frequency allocations for their exclusive use. Other state and federal governmental entities also accord public stations favored status by various means, including preferential tax treatment and considerable direct financial subsidies. Yet, public broadcast stations are also subject to specific limitations, such as restrictions on their use of commercial matter and advertising and the definitional requirement that they be non-profit, educational entities. Thus, the very definition of the service, the status of its operating stations, and its essentially non-profit, noncommercial programming nature make public broadcasting stations very different, in programming terms, from their commercial counterparts. With this in mind, we expect that as a practical matter the programming of these stations will reflect their special status and that they will provide their communities with significant alternative programming designed to satisfy the interests of the public not served by commercial broadcast stations. We would assume, for example, that in the rare case where the commercial media market appeared to ignore a significant issue in a community, the public stations would be among the first to address it, providing an important alternative and competitive spur to the other local media. Such responsive programming would be entirely consistent with the nature and historical performance of these stations.

14. Against this background, the Commission does not consider it necessary or appropriate to make any significant change in the programming obligation for noncommercial stations relied upon successfully in the past. Moreover, we believe that a more rigorous standard for public stations would come unnecessarily close to impinging on First Amendment rights and would run the collateral risk of stifling the creativity and innovative potential of these stations. Further, we wish to note that the programming formats of these stations, as with many of their commercial counterparts, have become increasingly specialized, particularly in the case of radio, and that we expect this trend to continue. To the extent that this development increases the diversity of programming available to the

¹³ As in *Alabama Educational Television Commission*, 50 F.C.C. 2d 461 (1975), Commission action may be taken if a station abuses its discretion and fails to meet its obligations.

public, we find it entirely consistent with our traditional programming policies. Meanwhile, of course, we expect that public broadcasters will continue to serve the significant programming needs of their communities. Consistent with this expectation, the Commission will retain the basic issue-oriented programming responsibility of public stations and require that these stations document compliance with this bedrock obligation by maintaining issues/programs lists as detailed in the logging section below.

Ascertainment

15. The comments establish that the current ascertainment requirements are burdensome and time consuming. Specifically, they note that ascertainment costs can reach over \$13,000 and \$6,000 per year for public television and radio stations, respectively, and can involve hundreds of yearly hours of staff time. The record in this proceeding contains no allegations or data to dispute the substantial nature of these costs. In fact, the impact of these costs has increased because public radio and television licensees have had to absorb major reductions in federal and other funding. Thus, it has become even more important to relieve these stations of unnecessary burdens. Indeed, Federal agencies are required by the Paperwork Reduction Act of 1980 to reduce such paperwork burdens wherever possible.¹⁴

16. We conclude that ascertainment requirements are unwarranted, particularly in view of the substantial costs they impose. We recognize the fact that public radio licensees are subject to somewhat less onerous ascertainment requirements than either commercial or noncommercial television licensees.¹⁵ Nevertheless, our finding that ascertainment procedures are unnecessary in light of the special direct contact that public stations have with the public by virtue of their noncommercial status (see para. 18, *infra*), renders any costs incurred in ascertainment unnecessary and therefore overly burdensome. They unnecessarily place the emphasis on the methodology used to determine community needs rather than on the key issue of the station's responsiveness to these needs.¹⁶ Instead of focusing on these formalistic requirements, we believe licensees should be afforded wide discretion to determine how community needs should be ascertained and met.

17. Moreover, as a general proposition, we believe that the Commission should regulate only where social and market forces are unlikely to ensure service in the public interest. The First Amendment makes it all

¹⁴ P.L. 96-511, 44 U.S.C. §3501, *et seq.*

¹⁵ See, Paras. 6-7, *supra*.

¹⁶ "... [A]scertainment was never meant to be an end in and of itself. Rather, it is merely a tool to be used as an aid in the provision of programming." *Radio Deregulation*, 84 F.C.C. 2d 968, 993 (1981).

the more important to rely on these forces as much as possible when program related regulation is at issue. Thus, for example, in the radio deregulation proceeding we concluded that the market forces affecting those broadcasters would operate to ensure operation in the public interest. In that case we were referring to a marketplace system that works in the conventional way, one in which businesses respond to public desires. Thus, if the public has an interest in a particular type of program, it makes economic sense for the commercial broadcaster to identify this interest and to present appropriately responsive programming and thereby gather a large audience for which to charge advertisers. Conversely, programming which does not interest the public will not attract the audience and hence will not interest the advertiser.

18. We believe that similar mechanisms are often even more extensive and reliable in the public broadcasting area. Like commercial broadcasters, public broadcasters face the necessity of obtaining funding to support their programming. As found by the congressionally created Temporary Commission on Alternative Financing for Public Telecommunications, public broadcasting stations obtain funding from a diverse mix of sources — including state and local government support, federal grants, corporate underwriting, and individual contributions. The Temporary Commission found that this pluralism among contributors to public broadcast programming “plays a key role in preserving the unique character of this service.” *See* Temporary Commission on Alternative Financing for Public Telecommunications, Final Report to Congress, 4 - 5 (Oct. 1983). While individual public broadcast licensees differ in the degree to which they rely on the various revenue sources available to public broadcasting as a whole, no detailed consideration of the system’s financial structure is necessary to recognize that all public stations have a substantial interest in presenting programming that will encourage continued and increased financial support by their varied sponsors.

19. Contributions from individual viewers are a very important source of public broadcast support.¹⁷ In this respect the relationship between the audience and the local public broadcaster is even more direct than in the case of commercial broadcasting because public broadcasting’s subscribers pay directly for programming that meets their needs and interests. Failure to discover and respond to audience needs and desires would lead inevitably to a reduction in such contributions. We believe that this essential economic relationship between the public licensee and its audience will ensure that public stations discover and serve local needs. Indeed, to the extent that audiences are unwilling to pay for programming

¹⁷ Public broadcasting as a whole receives about one-sixth its revenue from individual subscribers. *See* Temporary Commission on Alternative Financing for Public Telecommunications, Final Report to Congress, Figure 1, at 5 (October 1983).

duplicative of that which they receive free from advertiser-supported television, this process will result in public stations adding to diversity by addressing needs unmet by commercial stations.

20. Public funding sources, such as the Corporation for Public Broadcasting (CPB) and state and local governments, also contribute positively to the program service offered by many noncommercial stations. These sources fund specific types of programs they wish to see increased. For instance, CPB has identified children's programming as its chief program objective in its 1983 and 1984 funding programs. Documentaries and special news programs also sometimes receive public funding. While not all noncommercial stations receive government program funding, these sources of funding add to the mix of programs available to noncommercial licensees.

21. Other factors also are likely to serve as a reliable substitute in the public broadcasting area. Here in particular, we believe that social forces are likely to serve as a reliable substitute for the Commission's ascertainment requirements. Many public broadcasters are required to have advisory boards and to hold public meetings when deciding important operating matters. Further, many other licensees such as WNET(TV) have public members on their governing boards. While it is true that stations licensed to state or local jurisdictions are not required to have advisory boards, these stations are often under even more direct public control since state and local officials are accountable for their action or inaction through the electoral process. Other stations licensed to organizations with a primary educational purpose are subject to the direction of these institutions and their governing boards. The station that ignores these representatives does so at its own peril.

22. Accordingly, in light of their not insubstantial costs, misplaced emphasis, doubtful necessity, and our judgment that the various social and market forces referred to above will combine to provide the necessary assurance that public stations will operate in the public interest, ascertainment obligations will no longer be applied to public stations.

Program Logs

23. As was the case with ascertainment, the comments show that logging requirements are costly and time consuming. In particular, they demonstrate that such costs easily can reach \$20,000 yearly for a public television station and \$10,000 per year for a public radio station. In addition, the comments establish that the staff of each public station spends hundreds of hours in order to meet the logging requirements. According to a General Accounting Office study, the total logging workload of public stations is more than five and a half million hours of

work per year.¹⁸ Given the limited nature of our routine programming oversight responsibilities in connection with noncommercial licensees, we do not believe that these substantial costs are justified.

24. In addition, we note that comprehensive program logs for public radio and television stations do not provide definitive information needed by the Commission to determine whether a public radio or television station has operated in the public interest. Program logs provide statistics on the amount of programming that has been presented in the various program categories. However, these program percentages have not been used by the Commission to determine what action should be taken on the applications filed by public radio and television stations. In this respect, public station applications were treated differently from commercial radio and television applications. In the latter case, program percentages have been used to determine if applications could be granted by Commission staff action pursuant to delegated authority.¹⁹ In addition, the program percentage figures for public broadcast stations were never used for "promise v. performance" purposes as they had been for commercial stations.

25. We have considered the appropriate nature and scope of the program logging obligation for commercial broadcasters in the wake of deregulation and the reduced routine Commission oversight of programming which it entailed. We believe that our analysis of the program logging issue in these proceedings is directly applicable to the question presented here and that we can obtain important guidance in defining that obligation as it applies to noncommercial broadcasting.

26. As stated in the *Second Report and Order* in Radio Deregulation,²⁰ the logging obligation of commercial radio broadcast licensees now consists of a requirement that they prepare and make available in their public inspection files a quarterly issues/programs list. The list must contain, in narrative form, a brief description of at least 5 to 10 issues which the licensee addressed with responsive programming during the preceding three months, along with a statement of how each issue was treated.²¹

27. In our view, this issues/programs list requirement will provide the information necessary for our regulatory oversight of public broadcasting

¹⁸ See Appendix C.

¹⁹ The radio deregulation proceeding deleted these delegation guidelines for commercial radio applications.

²⁰ 55 RR 2d 1401 (1984). The original statement of the program logging obligation for radio licensees adopted in the initial order in radio deregulation was remanded by court to the Commission for further consideration. *UCC v. FCC*, *supra* n. 3. The *Second Report and Order* amended the obligation in response to the remand order.

²¹ Action taken today applies an essentially similar requirement to commercial television licensees.

as well as adequate data to permit the public, potential petitioners to deny and competing applicants to review and evaluate public broadcasters' performance. At the same time, the significant reduction in the costs of compliance for public licensees which this approach permits will enable these entities, already faced with decreasing federal support, to use their resources in a more cost effective manner. Furthermore, the highlighted issues/programs list will be easier for the public to review than the voluminous raw logs stations must currently maintain.

28. In addition, we no longer will subject public broadcasting stations to the long form audit, Form 303-N. This procedure which originated in the short form renewal proceeding, was applied to commercial television and to public radio and television stations. It was not applied to commercial radio because it was seen as inconsistent with the deregulation that had taken place.²² Now that we have deregulated public licensees as well, this procedure will no longer be utilized in this area either. We emphasize, however, that elimination of the long form audit does not alter the substantive obligation of licensees to serve the public interest. We note as well that the Commission will continue to conduct random FOB technical inspections and to check the public inspection files of noncommercial licensees for completeness.

29. While program logging requirements are being eliminated, a licensee is still required to keep records of political candidate appearances or "uses" [see Section 73.1810(f)(1)(v) and 73.1810(f)(4)(ii) of the Commission's Rules] and a notation that it has performed the required Emergency Broadcast System tests.²³

30. Regulatory Flexibility Analysis

I. Need for and Purpose of the Rule

The Commission has concluded that present ascertainment requirements imposed on public radio and television stations can be removed and that program log keeping requirements should be less burdensome. This relaxation in current requirements is based on the conclusion that social and marketplace forces can be relied on to insure operation in the public interest.

²² 46 Fed. Reg. 26236, 26240-1.

²³ Stations also will be required to continue to:

- (1) provide donor identification announcements in accordance with Section 73.1212;
- (2) make station identification announcements as required by Section 73.1201;
- (3) make required local notice announcements under Sections 73.3580 and 73.3594; and
- (4) announce that material in a program was taped, filmed or recorded (where required by Section 73.1208).

*II. Summary of issues raised by public comment
in response to the initial regulatory flexibility analysis,
Commission assessment, and changes made as a result.*

A. Issues Raised

- (1) Many of the parties favored deregulation in the two areas under consideration: ascertainment and log keeping.
- (2) Several parties opposed all of these changes, arguing that these forms of regulatory oversight were needed to insure licensee accountability.
- (3) Several filings took a middle position in favor of substantial deregulation along with retention of certain of the old requirements.

B. Assessment

The Commission concluded that deregulation in this area could provide important benefits to public and stations alike. In addition, it could aid these stations in enhancing their ability to raise needed funds and cut excessive costs.

C. Changes Made as a Result

- (1) The Commission did not find the arguments in opposition to deregulation to be persuasive. The old requirements were generally found to be burdensome and, for the most, part unnecessary. We now eliminate our ascertainment requirements and relax our program log requirements.
- (2) While concluding that social and marketplace forces could be relied on as a substitute for regulation in most instances, the Commission did find it necessary to retain a generalized program obligation and some reporting requirements.

III. Significant Alternatives Considered and Rejected

No suggestions were offered beyond the range of options raised in the *Notice*. Our reasons for the choices made are described above.

31. Accordingly, IT IS ORDERED, That the Commission's Rules ARE AMENDED, effective September 25, 1984, as set forth in the attached Appendix A.

32. IT IS FURTHER ORDERED, That FCC Form 303-N is eliminated.²⁴

33. IT IS FURTHER ORDERED, That the Secretary SHALL CAUSE a copy of this Report and Order to be printed in the FCC Reports.

34. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

²⁴ By separate action today we are amending FCC Forms 302, 340, and 341 and have therein incorporated the appropriate changes dictated by our decision in this proceeding.

35. This action is taken pursuant to the authority contained in Sections 4(i), 303(a), 303(b), 303(g), 303(j), 303(r) and 317(e).

FEDERAL COMMUNICATIONS COMMISSION

WILLIAM J. TRICARICO, *Secretary*

Appendix A

1. 47 CFR 73.295 is amended by revising paragraph (d) to read as follows: §73.295 Use of multiplex subcarriers.

* * * * *

(d) The station identification, delayed recording and sponsor identification announcements required by §§73.1201, 73.1208, and 73.1212 are not applicable to material transmitted under an SCA.

2. 47 CFR 73.1210, TV/FM dual-language broadcasting in Puerto Rico, is amended by removing subparagraph (b)(4) and marking it [Reserved].

3. 47 CFR 73.1212, Sponsorship identification; list retention; related requirements, is amended by removing subparagraph (g)(2) and marking it [Reserved].

4. 47 CFR 73.1225 Station inspections by FCC, is amended by removing subparagraphs (d)(2) and (d)(2)(i).

5. 47 CFR 73.1800 is amended by revising the Section title and paragraphs (a) (c) and (g) to read as follows, and by removing paragraph (f) and marking it [Reserved]:

§73.1800 General requirements related to the station log.

(a) The licensee of each station must maintain a station log as required by §73.1820. This log shall be kept by station employees competent to do so, having actual knowledge of the facts required. All entries, whether required or not by the provisions of this Part, must accurately reflect the station operation. Any employee making a log entry shall sign the log, thereby attesting to the fact that the entry, or any correction or addition made thereto, is an accurate representation of what transpired.

* * * * *

(c) Any necessary corrections of a manually kept log after it has been signed in accordance with paragraph (a) of this Section shall be made only by striking out the erroneous portion and making a corrective explanation on the log or attachment to it. Such corrections shall be dated and signed by the person who kept the log or the station chief operator, the station manager or an officer of the licensee.

* * * * *

(f) [Reserved]

(g) Application forms for licenses and other authorizations may require that certain technical operating data be supplied. These application forms should be kept in mind in connection with the maintenance of the station log.

6. 47 CFR 73.1810, Program logs, is removed in its entirety.

7. 47 CFR 73.1840 is amended by revising subparagraph (b)(1) to read as follows:

* * * * *

(b) * * *

(1) Suitable viewing - reading devices shall be available to permit FCC inspection of logs pursuant to §73.1226, Availability to FCC of station logs and records.

* * * * *

8. 47 CFR 73.1850, Public Inspection of Program Logs, is removed in its entirety.

9. 47 CFR 73.3527 is amended by removing paragraphs (b) and (c) and such subparagraphs and subdivisions which are a part thereof and marking them [Reserved]; and by revising subparagraphs (a)(7), (a)(8) and paragraph (g) to read as follows:

§73.3527 Local Public Inspection file of noncommercial educational stations.

(a) * * *

* * * * *

(7) For noncommercial broadcast stations every three months a list of at least 5 to 10 community issues addressed by the station's programming during the preceding 3 month period. The list is to be filed by the tenth day of each calendar quarter (e.g., July 10, October 10, January 10 and April 10) and should include a record of programming for the 3 preceding calendar months (e.g., the list filed by July 10 would be a record of programming from April 1 through June 30). The list shall include a brief narrative describing how each issue was treated. The description of the program should include, but is not limited to, the time, date and duration of each program, the title, and the type of programming in which the issue was treated, (e.g. public service announcements, a call-in program with a public official, etc.). These lists are to be retained for the entire license period.

Note: The first quarterly filing is to include at least the past three months of a station's programming performance. If the last annual issues/programs list was filed more than three months prior to October 1, 1984, the licensee must place in its public inspection file an issues/programs list encompassing the period of time between its last annual filing and October 1, 1984.

(8) The lists of donors supporting specific programs.

* * * * *

(b) [Reserved]

(c) [Reserved]

* * * * *

(g) *Period of retention.* The records specified in paragraph (a)(4) of this Section shall be retained for the periods specified in §73.1940 (two years). The manual specified in paragraph (a)(6) of this Section shall be retained indefinitely. The donor lists specified in paragraph (a)(8) of this Section shall be retained for two years. The contracts specified in paragraph (a)(9) shall be retained for the life of the contract(s) between the parties to the contract(s). The records specified in paragraphs (a)(1), (2), (3), and (5) of this Section must be retained as follows:

* * * * *

10. 47 CFR 73.3580 is amended by revising the pre-filing announcements found in subdivision (d)(4)(i) and the post-filing announcements found in subdivision (d)(4)(ii) to read as follows:

§73.3580 Local public notice of filing broadcast applications.

* * * * *

(d) * * *

* * * * *

(4) * * *

(i) *Pre-filing announcements.* During the period and beginning on the first day of the sixth calendar month prior to the expiration of the license, and continuing to the date on which the application is filed, the following announcement shall be broadcast on the 1st and 16th day of each calendar month. Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On (date of last renewal grant) (Station's call letters) was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until (expiration date).

Our license will expire on (date). We must file an application for renewal with the FCC (date four calendar months prior to expiration date). When filed, a copy of this application will be available for public inspection during our regular business hours. It contains information concerning this station's performance during the last (period of time covered by the application).

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by (date first day of last full calendar month prior to the month of expiration).

Further information concerning the FCC's broadcast license renewal process is available at (address of location of the station's public inspection file) or may be obtained from the FCC, Washington, D.C. 20554.

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(ii) *Post filing announcements.* During the period beginning on the date on which the renewal application is filed to the sixteenth day of the next to last full calendar month prior to the expiration of the license, all applications for renewal of broadcast station licenses shall broadcast the following announcement on the 1st and 16th day of each calendar month. Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On (date of last renewal grant) (Station's call letters) was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until (expiration date).

Our license will expire on (date). We have filed an application for renewal with the FCC.

A copy of this application is available for public inspection during our regular business hours. It contains information concerning this station's performance during the last (period of time covered by application).

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by (date first day of last full calendar month prior to the month of expiration).

Further information concerning the FCC's broadcast license renewal process is available at (address of location of the station's public inspection file) or may be obtained from the FCC, Washington, D.C. 20554.

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9. 47 CFR 73.4020, Ascertainment (and annual list of problems and needs), is removed in its entirety.

10. 47 CFR 73.4021, Ascertainment evaluations by FCC, is removed in its entirety.

11. 47 CFR 73.4025, Ascertainment, noncommercial educational stations, is removed in its entirety.