

Background

What is broadcast localism? Broadcast radio and television are distinctly local media. They are licensed to local communities, and the Federal Communications Commission (FCC) has long required broadcasters to serve the needs and interests of the communities to which they are licensed. Congress has also required that the FCC assign broadcast stations to communities around the country to assure widespread service, and the Commission has given priority to affording local service as part of this requirement. Broadcast “localism” encompasses these requirements.

How does the FCC ensure that broadcasters serve their communities?

Broadcasters are considered public trustees, afforded their spectrum so that they may serve the needs and interests of their communities of license. The obligation to provide such local service is fundamental.

Over the years, the FCC has adopted and revised a number of rules designed to ensure that broadcasters serve their communities of license. For example, at the most basic level, the FCC requires that each broadcast station provide service in accordance with certain technical parameters to ensure that members of its community can, in fact, receive the service. The FCC also requires that each broadcast station keep its main studio in or near its community of license and that calls from citizens in the community to the station be toll-free. Both of these requirements serve to facilitate interaction between a station and its community. Such involvement with the community helps to ensure that each broadcast station fulfills the basic FCC requirement that it air programming that responds to the needs and interests of the community.

To document broadcast stations’ compliance with this obligation, the FCC also requires each broadcast station to maintain at its main studio a public inspection file, the contents of which must include an “issues/program list.” The purpose of this list is to ensure that the station identifies the programs it has aired that it believes have provided its most significant treatment of the community issues and that interested members of the community have an opportunity to review the list to form an opinion of the performance of the station. Stations must update these lists quarterly and place the new lists in their public inspection files within ten days of the end of the quarter to which the updated list relates.

What is the new initiative on localism?

In August 2003, Chairman Michael Powell of the FCC launched a “localism and broadcasting” initiative. As components of the initiative, Chairman Powell:

- created the Localism Task Force (“LTF”);
- indicated that the FCC would increase its efforts to facilitate the licensing of low power FM stations, which provide highly local service; and
- stated that the FCC would start a formal proceeding, through a Notice of Inquiry (“NOI”), on broadcasting and localism (released July 1, 2004, MB Docket No. 04-233).

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The LTF will:

- (1) conduct studies to determine the nature and extent of "local" service being provided by broadcasters;
- (2) organize public hearings on broadcast localism around the country;
- (3) make recommendations to the Commission on how the agency could best promote localism in radio and television; and
- (4) advise the Commission on how Congress might change the relevant laws to enhance localism.

The NOI process will operate in tandem with the LTF's work and will seek comment on whether current FCC policies and rules designed to promote localism in fact satisfy their intended purpose, or instead should be changed or supplemented.

How can interested members of the public participate?

Members of the public who are interested in broadcasting and localism can contribute to and participate in the FCC's localism initiative in a number of ways:

◆ *Examine broadcasters' public inspection files.*

As indicated above, the FCC requires each broadcast radio and television station to maintain a public inspection file. Among other things, that file must include: the station's applications pending before the FCC; all current authorizations from the FCC, such as construction permits and licenses; all current written agreements the station has made with citizens about programming or issues of community concern; a copy of the station's most recent, complete ownership report filed with the FCC; a record of all requests for airtime made by or on behalf of a candidate for public office during the preceding two years, together with a notation of the

disposition made by the station of such requests, including the charges made; material relating to complaints to or investigations by the FCC; an "issues/programs list," as described above; and written comments from the public about the operation of a station received by the station within the last three years.

The public has a right to review the public inspection file during regular business hours. Listeners or viewers of a station who review its public inspection file and have concerns should bring them to the attention of the station first. Such information helps stations keep informed about the needs and interests of their communities.

Listeners and viewers may also bring their concerns about the performance of a particular station to the attention of the FCC by filing a complaint at any time, or an objection to or petition against the periodic application of stations for renewal of their broadcast licenses. The FCC Enforcement Bureau's Web site, www.fcc.gov/eb/bccomplaints, describes the guidelines for filing a complaint.

In terms of the license renewal process, the FCC grants licenses for a term of eight years; currently, all radio station licenses are scheduled to expire between 2003 and 2006, and all television station licenses are scheduled to expire between 2004 and 2007. The FCC requires each station to file an application for license renewal several months before its license expires, and to give notice of the renewal process to its community. Listeners and viewers of a station with a license up for renewal may file a petition to deny or an informal objection to renewal, as well as positive remarks about a broadcaster's performance. The LTF's Web site, www.fcc.gov/localism, provides greater detail about the license renewal process and participation in it.

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◆ **Participate in public hearings.**

The LTF is conducting hearings in six different cities around the country. The schedule and location of these hearings is available at the LTF's Web site, www.fcc.gov/localism.

The purpose of these hearings is to solicit input from citizens, civic organizations, and industry on broadcasting and localism. Although the format may change from hearing to hearing, the LTF expects that each hearing will provide citizens an opportunity to participate through an open microphone.

The LTF will announce details about each hearing in advance of the date scheduled for the hearing, and will post this information on its Web site for members of the public interested in participating in a hearing. Listeners and viewers with general comments about broadcasting and localism are invited to register their views at these hearings.

These field hearings are not suited to resolving concerns or disputes relating to a particular station. That is best achieved through the complaint and renewal process described above. Nonetheless, listeners and viewers are welcome to make remarks at the hearing about the performance of a specific station or stations licensed to communities in the area of the hearing's location. Such remarks may help the LTF identify broader trends about broadcasting and localism.

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◆ **File comments.**

The LTF has created a docket for interested members of the public to file comments on the subject of broadcasting and localism. Instructions can be located at the LTF's Web site. Again, the LTF welcomes comments of a general nature, as well as remarks about a particular station.

For more information, contact the LTF at (202) 418-7777 or www.fcc.gov/localism.