

ISSUES/PROGRAMS LIST REQUIREMENTS

By: Anne Goodwin Crump
Fletcher, Heald & Hildreth, P.L.C.

The Commission requires that all radio stations compile each quarter a list of programs which have provided the most significant treatment of issues of concern to the community during the preceding three month period. The list is to be placed in each station's public inspection file by the tenth day of the month following the end of the quarter. Thus, the report for the first quarter of is due to be placed in the public file by April 10, the report for the second quarter should be placed in the public file by July 10, the report for the third quarter should be placed in the public file by October 10, and the report for the fourth quarter should be placed in the public file by January 10 of the following year.

It is important to keep in mind that the purpose of the issues/programs lists is to describe those programs that have provided the station's most significant treatment of community issues in the preceding quarter. Through its issues/programs lists, the station is establishing a record of programming which could become important at renewal time. The Commission has repeatedly stated that every licensee has an obligation to broadcast programming responsive to the needs of its community of license, and that requirement is again coming to the forefront as the Commission and Congress examine the importance of localism. The quarterly lists should show that the station has met this obligation to serve the public interest through its issue-responsive programming.

The concept underlying the issues/programs list is that the station will first determine what issues are of importance to the community at large. While formal ascertainment is not required, the Commission does require that licensees determine issues of importance to the community in some reasonable manner. After the issues are determined, the station should provide programming to cover those issues and should keep records of the responsive programming aired.

The format of the issues/programs list should be such that a reader can easily determine what issues were covered by which programs and at what times. To this end, the list should sort programs according to which issue they treated. The Commission's rules require that the description of each program include the following:

- (1) time
- (2) date
- (3) duration
- (4) title
- (5) brief description of the program and how it covered its topic

In determining what programming should be included in the issues/programs list, please keep in mind that the programming to be listed is "issue-responsive" programming. Thus, public service announcements which do not include discussion of the underlying issue but rather merely announce an event or the like would not be included. Moreover, while those PSA's that include

some discussion may be eligible for inclusion, it obviously is difficult to have very much substantive coverage in a 30 second to one minute duration. Therefore, the Commission has indicated that stations should not rely exclusively on PSA's and similar very short programming to cover community issues. Rather, there should be some longer programming.

As you consider such programming, please also keep in mind that the Commission has stated that issue-responsive programming may come from a variety of sources and need not always be locally produced, so long as it addresses a local issue. Thus, any syndicated or network programming that discusses an issue of importance to your community could be included. You might also be able to use any news staff you have to prepare non-entertainment, issue-responsive programming. Although straight news stories simply reporting an event cannot be included in the issues/programs list, in-depth news features which provide some discussion of an issue can be included.

Additionally, the station must distinguish between events in which it participates and programming which it broadcasts. Only the latter should appear on the quarterly issues/programs list. While it is admirable for the station to be involved in community events and to help raise money for worthy causes, the quarterly listing is designed to reflect the station's programming, not its community service or charitable activities. Thus, although it could prove helpful to place information concerning the station's community service activities in an attachment to the quarterly issues/programs list, the place for the information is not in the body of the quarterly listing.