



IN THIS ISSUE:

**FCC ENFORCEMENT BUREAU ISSUES
EEO AUDIT CLARIFICATION AND
EXTENDS RESPONSE DEADLINE..... 1**

ETRS FORM ONE DUE BY OCT 3RD.... 1

**REMINDER: NO BIENNIAL OWNERSHIP
REPORTING THIS FALL 2**

**REMINDER: DECEMBER 8 DEADLINE
FOR COMPLIANCE WITH REVISED
FOREIGN SPONSORSHIP ID
REQUIREMENTS 2**

**DEADLINES FOR CLASS A, LPTV
AND TV TRANSLATOR FILING
OPPORTUNITIES..... 2**

DATES TO REMEMBER..... 2-3

FCC ENFORCEMENT BUREAU ISSUES EEO AUDIT CLARIFICATION AND EXTENDS RESPONSE DEADLINE

The FCC Enforcement Bureau [extended](#) to October 17 the deadline for broadcast stations included in the current random EEO Audit to complete and upload responses to their online files. In addition, the extension notice clarified a few important items.

Based on feedback the FCC received from over 50 attorneys on a recent zoom call that our firm participated in, mainly focused on three new EEO audit questions related to Diversity/Equity/Inclusion practices, the notice includes clarifying language that certain internal information in the new audit questions can be submitted to an email address instead of uploaded to the OPIF. That change solves concerns over privacy issues.

In addition, the notice changed the Bureau's earlier audit requirement that stations with fewer than five full-timers had to respond to the new questions. With the change, stations with fewer than five full-timers do not have to respond to the new audit questions.

ETRS FORM ONE DUE BY OCTOBER 3RD

The FCC's October 3 deadline is fast approaching for all broadcast stations (unless exempt) to prepare and submit ETRS Form One in the FCC's online ETRS system. This report is required to be filed once annually to update station EAS equipment, software, monitoring stations/sources, and contact personnel for testing.

Stations must log into ETRS using their CORES username to access the filing system and Form One. Start [here](#). Many stations will be able to update a previously filed Form One and avoid having to re-enter information, but the key is to get Form One on file by the deadline with current and accurate information about your EAS equipment, your monitored stations, and contact information for your responsible EAS representative.

The FCC has fined stations that do not submit the form or participate in required tests.

While reports are that there will not be a National EAS Test this fall, things change rapidly in Washington these days, so be aware that a test could be announced on much shorter notice.

REMINDER: NO BIENNIAL OWNERSHIP REPORTING THIS FALL

For those still thinking that an ownership report is due this fall, the Media Bureau previously issued a [public notice](#) waiving the requirement to file those reports through June 1, 2027 or “until further notice.” This waiver was the first significant industry-wide regulatory relief arising from the FCC’s deregulatory push.

Non-biennial ownership reporting is not waived in the public notice. These reports are filed with applications for original construction permits, license applications for new stations, and in connection with assignment or transfer of control applications.

REMINDER: DECEMBER 8 DEADLINE FOR COMPLIANCE WITH REVISED FOREIGN SPONSORSHIP ID REQUIREMENTS

The FCC’s foreign sponsorship identification rules for broadcasters have been around for a few years, requiring disclosures when foreign governments or their agents purchase air time on commercial stations. The FCC recently announced the effectiveness of a revised part of the rule allowing stations to optionally use two short “forms” when assessing whether a buyer of program time on the station is a foreign government or agent. Stations have been using their own certifications until now, with any affirmative responses requiring on-air disclosure and public file uploads.

The Media Bureau’s [notice](#) makes December 8, 2025 the effective date for the part of the rule that allows the use of the two forms – one a licensee certification that details the actions taken and attempts to get the programmer to sign a certification, and the other being the programmer certification itself. When signed by the station or ad

buyer, the station enjoys a safe harbor that the buyer is not a foreign agent. The forms can be found at [Appendix C and D](#) of the FCC’s 2024 Order.

DEADLINES FOR CLASS A, LPTV AND TV TRANSLATOR FILING OPPORTUNITIES

The next deadline is in a few weeks for a series of filing opportunities that the FCC recently announced for Class A, LPTV and TV translator stations. For those seeking to file applications in accordance with the deadlines, pay close attention to the dates, times, and scope of each deadline outlined in the [public notice](#).

Back on September 3, the FCC began a filing freeze on Class A, LPTV and TV translator major change applications. On October 15 at 6p ET, a filing freeze on all minor change applications will begin, in advance of an expanded opportunity for all Class A, LPTV and TV translator stations to file major change applications with relocations up to 121.0 kilometers(km). That opportunity will allow stations to relocate over a longer distance and improve population coverage. Those applications can be filed up through 6p ET on December 3, when a major change filing freeze will go back into place. Starting January 21 at 12:01 AM ET, the FCC will start accepting applications for new LPTV and TV translator stations.

Talk to your consulting engineer about the possibilities that these filing opportunities present. And as always, be sure to obtain reasonable assurance for any tower specified in an application. Otherwise, the application can be challenged.

DATES TO REMEMBER

October 1, 2025

Radio and TV Stations located in Alaska, American Samoa, Guam, Hawaii, Marianas Islands, Oregon, Washington, Iowa, Missouri and Florida: if five (5) full time employee threshold is met, prepare EEO public file report covering the period from October 1, 2024 – September 30, 2025, upload it to the station online public inspection file and post it on the station website

Mid-Term EEO Review for Radio stations located in Alaska, American Samoa, Guam, Hawaii, Marianas Islands, Oregon and Washington: if station employment unit has **eleven (11) or more full-time employees**, an independent **mid-term EEO review** of your last two EEO public file reports by the FCC will occur in connection with the 2024-25 EEO public file report due October 1, and when uploading the report, each station in the SEU must indicate that the SEU has 11 or more full-timers using the "Mid-Term Review" tab in the OPIF settings section. If the SEU has **between five and ten full-time employees**, when uploading the 2024-25 report, each station in the SEU should indicate that the SEU has fewer than 11 full-time employees using the "Mid-Term Review" tab in the OPIF settings section (by doing so, no mid-term review of the SEU will take place)

Mid-Term EEO Review for Television stations located in Iowa and Missouri: if station employment unit has **five (5) or more full-time employees**, an independent **mid-term EEO review** of your last two EEO public file reports by the FCC will occur in connection with your upload of the 2024-25 EEO public file report due October 1. By uploading an EEO public file report, the FCC automatically knows that your television station meets the 5 or more full-time employee threshold for a mid-term review. Therefore unlike for radio, there is no OPIF mechanism available or needed for TV stations to specify the number of SEU employees.

October 3, 2025

Deadline for **all non-exempt broadcast stations** to file ETRS Form One to report the status of EAS equipment, monitoring stations, contact personnel.

October 10, 2025

TV, Class A, AM & FM Stations (commercial & noncommercial): deadline to complete and upload to online public file the 3rd Quarter 2025 issues/program lists and any foreign sponsorship identification reports

Class A TV Stations Only: deadline to complete and post to your online public file the 3rd Quarter 2025 certification of ongoing Class A eligibility

Noncommercial Broadcast Stations: deadline to complete and post to your online public file the 3rd Quarter 2025 report for any 3rd Party Fundraising conducted during the quarter

October 15, 2025

Class A, LPTV, TV Translator filing freeze for all minor change applications (including displacement applications) begins 6p ET

October 17, 2025

Extended deadline for all stations included in the FCC's August 8, 2025 EEO Random Audit to upload audit responses to online public files of all stations in the audited station employment unit.

October 22, 2025

Class A, LPTV, TV Translator filing freeze on all minor changes applications (including displacement applications) is lifted and expanded opportunity to file major change applications with relocations limited to no more than 121 kilometers begins 12:01 am ET

December 1, 2025

Deadline for Full Power TV, Class A, and LPTV Stations to file FCC Form 2100, Schedule G, and pay 5% of gross revenues from any ancillary or supplementary services provided between October 1, 2024 and September 30, 2025. NCE TV stations pay on 2.5% of gross revenue. Ancillary and supplemental services do not include free over the air video content, but do include computer software distribution, data transmissions, teletext, interactive materials, aural messages, paging services, or audio signals, and subscription video. Stations that provided no such services do not have to file a report.

December 3, 2025

Class A, LPTV, TV Translator major change application filing freeze begins 6p ET

January 10, 2026

TV, Class A, AM & FM Stations (commercial & noncommercial): deadline to complete and upload to online public file the 4th Quarter 2025 issues/program lists and any foreign sponsorship identification reports

Class A TV Stations Only: deadline to complete and post to your online public file the 4th Quarter 2025 certification of ongoing Class A eligibility

Noncommercial Broadcast Stations: deadline to complete and post to your online public file the 4th

Quarter 2025 report for any 3rd Party Fundraising conducted during the quarter

January 14, 2026

Class A, LPTV, TV Translator minor change applications filing freeze begins 6p ET

January 21, 2026

Class A, LPTV, TV Translator major change applications resumes, minor change freeze is lifted, and acceptance of applications for **new LPTV and TV translator** stations begins 12:01 am ET

January 30, 2026

All Commercial Full Power and Class A Television Stations – deadline to complete and submit the 2024 children's television report in LMS **and** separately upload children's television commercial limits certifications for all of 2025 in the station online public file

January 31, 2026

Web Streaming Stations: deadline to remit annual license fee and related statement of account with SoundExchange for the statutory license allowing streaming of sound recordings on the web. Payment can be made on SoundExchange's online filing portal "Licensee Direct"

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For more info, contact Joe Chautin or Mark Balkin.

Phone 985.629.0777

Fax 985.629.0778

www.hardycarey.com

Actual resolution of legal issues depends upon many factors, including variations of facts and applicable Federal laws. This publication is not intended to provide legal advice on specific subjects, rather, it seeks to provide insight into legal developments and issues that we feel could be useful to our clients and friends.

 Hardy, Carey, Chautin & Balkin, LLP
ATTORNEYS AT LAW
1080 West Causeway Approach
Mandeville, Louisiana 70471-3036