



PUBLIC NOTICE

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MEDIA BUREAU ANNOUNCES THAT AFTER DECEMBER 17, 2019, TELEVISION BROADCASTERS WILL NO LONGER BE ABLE TO AMEND EXISTING OR FILE NEW QUARTERLY CHILDREN'S TELEVISION PROGRAMMING REPORTS

MB Docket Nos. 17-105 and 18-202

On July 12, 2019, the Commission released a *Report and Order* modernizing the children's television programming rules to give broadcasters greater flexibility in serving the educational and informational needs of children.¹ Among the changes adopted, broadcasters will only be required to file their Children's Television Programming Reports, FCC Form 2100, Schedule H (Children's Report),² on an annual basis (within 30 days after the end of the calendar year) rather than on a quarterly basis.³ In anticipation of broadcasters transitioning from the existing children's programming rules to the amended rules, the Media Bureau (Bureau) has provided guidance to broadcasters on how to report their children's programming for the remainder of 2019.⁴

Updates to the Commission's Licensing and Management System (LMS) are underway, and the Bureau anticipates the revised Children's Report will be ready, subject to OMB approval,⁵ to be accepted for filing by January 1, 2020. In order to facilitate the filing of the new annual Children's Report, LMS will no longer be able to accept new quarterly reports or allow broadcasters to amend previously filed quarterly reports. By this Public Notice, we inform all television broadcasters that **after December 17, 2019**, licensees will no longer be able to file new or amend previously filed quarterly Children's Reports.

¹ *Children's Television Programming Rules; Modernization of Media Regulation Initiative*, MB Docket Nos. 18-202 and 17-105, Report and Order, 34 FCC Rcd 5822 (2019) (*Report and Order*).

² We note that while broadcasters commonly refer to the Children's Report as FCC Form 398, this form was replaced by FCC Form 2100, Schedule H in 2014, when the Media Bureau transitioned to the Licensing and Management System.

³ *Report and Order*, 34 FCC Rcd at 5859-60, paras. 61-63.

⁴ *Media Bureau Announces Effective Date and Provides Guidance on Transition Procedures for KidVid Reporting and Compliance with Revised Safe Harbor Processing Guidelines*, MB Docket Nos. 18-202 and 17-105, Public Notice, 34 FCC Rcd 7878 (MB, 2019). Broadcasters were required to report on their third quarter 2019 Children's Report all children's television programming aired from July 1, 2019, through September 15, 2019. *Id.* at 7879. Any children's television programming aired on or after September 16, 2019, will be reported by commercial and Class A television stations on a broadcaster's first annual Children's Report, which will be due no later than January 30, 2020. *Id.* at 7880.

⁵ The revised FCC Form 2100, Schedule H, and the amendment to Section 73.3526(e)(11)(iii) of the rules, which governs a broadcaster's obligation to file a Children's Report, require OMB approval and will become effective after publication in the Federal Register of a notice announcing such approval and the relevant effective date. The Bureau will issue a subsequent public notice announcing the effective date(s) of the revised form and rule.

Furthermore, to the extent necessary, while we await OMB approval of the revised children's report filing rule, 47 CFR 73.3526(e)(11)(iii), we waive the requirement that broadcasters file a quarterly Children's Report by January 10, 2020.⁶

After December 17, 2019, if a broadcaster must amend a previously filed quarterly Children's Report or realizes that it failed to file a quarterly Children's Report, it will have to provide the necessary information in the form of an explanatory document. Such document must be uploaded to a station's online public inspection file and placed in the "Children's Reports" section, under the folder entitled "Additional Documents."⁷ Furthermore, in light of the upcoming license renewal cycle for television stations that is scheduled to begin in June 2020, the Bureau advises licensees to include an exhibit as part of their license renewal application noting if any such explanatory document has been uploaded to the station's online public inspection file.

For all legal matters, please contact Kathy Berthot, Policy Division, Media Bureau, 202-418-2120 or by e-mail at Kathy.Berthot@fcc.gov, or Evan Morris, Legal Advisor, Media Bureau at 202-418-1656 or by e-mail at Evan.Morris@fcc.gov. For LMS filing related issues, please contact Hossein Hashemzadeh, Video Division, Media Bureau at (202) 418-1658 or by e-mail at Hossein.Hashemzadeh@fcc.gov concerning Class A stations, or Kevin Harding, Video Division, Media Bureau at 202-418-7077 or by e-mail at Kevin.Harding@fcc.gov concerning full power stations. Press inquiries should be directed to Janice Wise at (202) 418-8165 or by email at Janice.Wise@fcc.gov.

This action is taken by the Chief, Media Bureau, pursuant to authority delegated by sections 0.61 and 0.283 of the Commission's rules.⁸

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⁶ 47 CFR § 1.3 (waiver for good cause shown). *See supra* note 4.

⁷ The Commission's rules state that the Commission will automatically link a broadcast station's Children's Television Programming Reports to its online public inspection file. The rules goes on to state that "[i]n the event that the online public file does not reflect such required information, the licensee will be responsible for posting such material. 47 CFR § 73.3526(b)(4).

⁸ 47 CFR §§ 0.61 and 0.283.