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part of an employment unit of more than ten full-time employees four years following the station's most recent license expiration date as specified in §73.1020. Each such licensee is required to file with the Commission the Broadcast Mid-Term Report (FCC Form 397) four months prior to that date. If a broadcast licensee acquires a station pursuant to FCC Form 314 or FCC Form 315 during the period that is to form the basis for the Form 397, its Report should cover the licensee's EEO recruitment activity during the period starting with the date it acquired the station.

(3) If a station is subject to a time brokerage agreement, the licensee shall file Forms 396, Forms 397, and EEO public file reports concerning only its own recruitment activity. If a licensee is a broker of another station or stations, the licensee-broker shall include its recruitment activity for the brokered station(s) in determining the bases of Forms 396, Forms 397 and the EEO public file reports for its own station. If a licensee-broker owns more than one station, it shall include its recruitment activity for the brokered station in the Forms 396, Forms 397, and EEO public file reports filed for its own station that is most closely affiliated with, and in the same market as, the brokered station. If a licensee-broker does not own a station in the same market as the brokered station, then it shall include its recruitment activity for the brokered station in the Forms 396, Forms 397, and EEO public file reports filed for its own station that is geographically closest to the brokered station.

(4) Broadcast stations subject to this section shall maintain records of their recruitment activity necessary to demonstrate that they are in compliance with the EEO rule. Stations shall ensure that they maintain records sufficient to verify the accuracy of information provided in Forms 396, Forms 397, and EEO public file reports. To determine compliance with the EEO rule, the Commission may conduct inquiries of licensees at random or if it has evidence of a possible violation of the EEO rule. In addition, the Commission will conduct random audits. Specifically, each year approximately five

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percent of all licensees in the television and radio services will be randomly selected for audit, ensuring that, even though the number of radio licensees is significantly larger than television licensees, both services are represented in the audit process. Upon request, stations shall make records available to the Commission for its review.

(5) The public may file complaints throughout the license term based on a station's Form 397 or the contents of a station's public file. Provisions concerning filing, withdrawing, or non-filing of informal objections or petitions to deny license renewal, assignment, or transfer applications are delineated in §§73.3584 and 73.3587-3589 of the Commission's rules.

(g) *Sanctions and remedies.* The Commission may issue appropriate sanctions and remedies for any violation of this rule.

[68 FR 689, Jan. 7, 2003]

**§ 73.2090 Ban on discrimination in broadcast transactions.**

No qualified person or entity shall be discriminated against on the basis of race, color, religion, national origin or sex in the sale of commercially operated AM, FM, TV, Class A TV or international broadcast stations (as defined in this part).

[73 FR 28369, May 16, 2008]

**§ 73.3500 Application and report forms.**

(a) Following are the FCC broadcast application and report forms, listed by number.

Form number	Title
175 .....	Application to Participate in an FCC Auction
301 .....	Application for Authority to Construct or Make Changes in a Commercial Broadcast Station.
301-A .....	Application for Authority to Operate a Broadcast Station by Remote Control or to Make Changes in a Remote Control Authorization.
302-AM ...	Application for AM Broadcast Station License.
302-CA ....	Application for Class A Television Broadcasting Station Construction Permit or License.
302-FM ....	Application for FM Broadcast Station License.
302-TV ....	Application for Television Broadcast Station License.

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Form number	Title
303-S	Application for Renewal of License for AM, FM, TV, Translator, or LPTV Station.
307	Application for Extension of Broadcast Construction Permit or to Replace Expired Construction Permit.
308	Application for Permit to Deliver Programs to Foreign Broadcast Stations.
309	Application for Authority to Construct or Make Changes in an International or Experimental Broadcast Station.
310	Application for an International or Experimental Broadcast Station License.
311	Application for Renewal of an International or Experimental Broadcast Station License.
314	Application for Consent to Assignment of Broadcast Station Construction Permit or License.
315	Application for Consent to Transfer of Control of Corporation Holding Broadcast Station Construction Permit or License.
316	Application for Consent to Assignment of Broadcast Station Construction Permit or License or Transfer of Control of Corporation Holding Broadcast Station Construction Permit or License.
323	Ownership Report.
323-E	Ownership Report for Noncommercial Educational Broadcast Station.
340	Application for Authority to Construct or Make Changes in a Noncommercial Educational Broadcast Station.
345	Application for Consent to Assignment of a TV or FM Translator Station Construction Permit or License.
346	Application for Authority to Construct or Make Changes in a Low Power TV, TV Translator or TV Booster Station.
347	Application for a Low Power TV, TV Translator or TV Booster Station License.
349	Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station.
350	Application for an FM Translator or FM Booster Station License.
395-B	Annual Employment Report and instructions.
396	Broadcast Equal Employment Opportunity Program Report.
396-A	Broadcast Equal Employment Opportunity Model Program Report.
398	Children's Television Programming Report.
601	FCC Application for Wireless Telecommunications Bureau Radio Service Authorization.
603	FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control.

(b) Following are the FCC broadcast application and report forms, listed by number, that must be filed electronically in accordance with the filing instructions set forth in the application and report form.

(1) Form 398, in electronic form as of January 10, 1999.

[44 FR 38486, July 2, 1979]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 73.3500, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 73.3511 Applications required.**

(a) *Formal application* means any request for authorization where an FCC form for such request is prescribed. The prescription of an FCC form includes the requirement that the proper edition of the form is used. Formal applications on obsolete forms are subject to the provisions of § 73.3564 concerning acceptance of applications and § 73.3566 concerning defective applications.

(b) *Informal application* means all other written requests for authorization. All such applications should contain a caption clearly indicating the nature of the request submitted therein.

(c) Formal and informal applications must comply with the requirements as to signing specified herein and in § 73.3513.

[44 FR 38486, July 2, 1979, as amended at 47 FR 40172, Sept. 13, 1982]

**§ 73.3512 Where to file; number of copies.**

All applications for authorizations required by § 73.3511 shall be filed at the FCC in Washington, DC (Applications requiring fees as set forth at part 1, subpart G of this chapter must be filed in accordance with § 0.401(b) of the rules.) The number of copies required for each application is set forth in the FCC Form which is to be used in filing such application.

[52 FR 10231, Mar. 31, 1987]

**§ 73.3513 Signing of applications.**

(a) Applications, amendments thereto, and related statements of fact required by the FCC must be signed by the following persons:

- (1) *Individual Applicant*. The applicant, if the applicant is an individual.
- (2) *Partnership*. One of the partners, if the applicant is a partnership.
- (3) *Corporation*. An officer, if the applicant is a corporation.