

# POLITICAL FILE

◀ LEGAL REQUIREMENTS ▶



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# POLITICAL PUBLIC FILE



## Getting Complete Information

- ***It is critical that stations make sure they are collecting all required information.***
- Watchdog groups and the FCC are reviewing stations' online political files and targeting stations with alleged deficiencies.

MAY  
13  
2014

WASHINGTON

## FCC Seeks Info On Political File Complaint

Wheeler says accuracy as important as accessibility

5/13/2014 09:59:00 AM Eastern

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 By: **John Eggerton**

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The FCC has sent letters to 11 stations cited by Sunlight Foundation for alleged violations of the FCC's political file rules, giving them two weeks to respond according to the groups that filed the complaint.

# POLITICAL PUBLIC FILE



Identifies political/controversial issue advertisers by...

- Name / address
- Names of executive officers / executive committee / board of directors

This information is required for ALL issue ads, even on purely state/local issues.

- BUT: The political file does not include rate/schedule information for purely state/local issue ads.

All updates need to happen within 24 hours

*\*Refer to Public File Checklist on Law Department SharePoint for details on what information must be included*

*\*\*Direct legal questions to [tegnapolitical@tegna.com](mailto:tegnapolitical@tegna.com)*

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# POLITICAL PUBLIC FILE



Additional public file obligations triggered when:

- made by or on behalf of a candidate for public office (federal/state/local), or
- that communicate a message relating to any political matter of national importance, including:
  - federal candidates
  - elections for federal office
  - national legislative issues of public importance

*\*Refer to Public File Checklist on Law Department SharePoint for details on what information must be included*

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## Additional obligations:

- Completed NAB PB-19 (preferred over PB-18)
- Rate/Schedule information:
  - Schedule of time, when spots actually aired, rate(s) charged, class(es) of time, and time period(s) for each spot(s) purchased
  - Priority Codes denote class(es) of time
  - New Orders/ Order Revisions/ Final Invoice
- Any Issue ads that reference matters of national importance trigger the additional public file obligation
- Disclose all of the sponsor's chief executive officers, members of executive committee, or board of directors
- Supplement for every version of creative, identifying every federal candidate, federal election and national legislative issue referenced (for National Issue Ads only)

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	Completed NAB PB-19 (preferred over PB-18)	Supplement to PB-19 for Creative Changes; Note order # for each spot	New Contract from WO Traffic (schedule, rates, class of time, time period)	Revised Contract from WO Traffic (Client initiated revisions; does not include makegoods)	Final Invoice from WO Traffic	Record of Rebates	Record of Free Time
Candidate – Federal	✓		✓	✓	✓	✓	✓
Candidate – State/Local	✓		✓	✓	✓	✓	✓
Issue (of National Importance)*	✓	✓	✓	✓	✓		
Issue (purely State or Local)	✓						

**\*Issue (of National Importance) = Ad contains message relating to Federal Candidates, Federal Elections, or National Legislative Issues of Public Importance. Includes State/Local ads which reference matters of National importance\***

**\*\*Direct legal questions to [tegnapolitical@tegna.com](mailto:tegnapolitical@tegna.com)**



# POLITICAL PUBLIC FILE



A complete NAB Form must be in file for each political buy.

- Applies to all candidate and issue ads.
- The same NAB form can be attached to multiple orders by the same advertiser, as long as the information remains accurate.

Remember:

- Candidates and issue advertisers use different versions of the form.
- National issue advertisers fill out different portions of the form than state/local issue advertisers.
- All issue advertisers and state/local candidates must sign.

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# POLITICAL PUBLIC FILE

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If a federal candidate refuses to sign the NAB form:

- Get all necessary information (especially sponsor ID) in another written form, if possible.
- If necessary, make a note in the station's internal files that the candidate received necessary disclosures but refused to sign.

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## Do not include

- Correspondence of negotiations with advertisers (only FINAL ORDERS)
- Correspondence regarding complaints about political ads
  - This includes any supporting documentation from the advertiser or someone complaining about an ad.
- Check images
- Internal correspondence about spots (especially with the Law Department or outside counsel)

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# POLITICAL PUBLIC FILE

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## Retention Period:

- 2 years from the date of the election to which the materials relate (or, if the BCRA issue ad does not pertain to an election, then retain records for the two-year period after payment is made to the station or the material is furnished to the station)

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# POLITICAL PUBLIC FILE



Each station must maintain a backup political file.

- Only required to provide public access to the backup when FCC's system is not functioning.
- Backup may be in paper files, in a database accessed at a station computer terminal, or online.

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