

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY,
CONCURRING**

Re: *Complaints Involving the Political Files of WCNC-TV, Inc., licensee of Station WCNC-TV, Charlotte, NC, et al.*, Memorandum Opinion and Order.

As experience has shown, the Commission's vast array of broadcast regulations has at times created a complex web of unnecessary difficulties for stations trying to compete in today's cutthroat media marketplace. While our media modernization effort has helped to alleviate some of these burdens, the FCC's political file rules remain in place due to the statutory mandates of the Communications Act. Given the need to operate within the constraints of these provisions, I thank the Chairman for working with me to help minimize unnecessary liability due to our rules and provide better guidance for compliance than currently exists.

While I remain concerned about the constitutional basis that undergirds some of the political file statutory requirements, I am more comfortable with the approach we adopt today than with previous drafts. Alternative implementation regimes would result in far more uncertainty for stations acting in good faith. At a minimum, our action today creates a clearer structure that hopefully opens the door to consistent enforcement across future Commissions, while perhaps even injecting a level of regulatory humility as well.