

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Complaint Involving the Political Files of
Scripps Broadcasting Holdings, LLC, licensee of
Station WCPO-TV, Cincinnati, OH
File No. 160926a
Facility ID No. 59438

ORDER

Adopted: October 2, 2019

Released: October 16, 2019

By the Commission: Commissioners O’Rielly, Rosenworcel and Starks concurring.

I. INTRODUCTION

1. In this Order, we admonish Scripps Broadcasting Holdings LLC (Scripps), the licensee of Station WCPO-TV, Cincinnati, OH, for failing to include in WCPO-TV’s political file certain information about a request to purchase political advertising time for a non-candidate issue advertisement, in willful violation of section 315(e)(2)(G) of the Communications Act of 1934, as amended (the Act).1 The Order resolves a Complaint2 filed jointly by Campaign Legal Center,3 Common Cause,4 Sunlight Foundation,5 and Benton Foundation6 (collectively Complainants) against Scripps on September 26, 2016.7

1 47 U.S.C. § 315(e)(2)(G).

2 Complaint of Campaign Legal Center, Common Cause, Sunlight Foundation, and Benton Foundation against Scripps Media, Inc., licensee of Station WCPO-TV, Cincinnati, OH, filed September 26, 2016 (Complaint). Scripps submitted a written Answer on October 14, 2016; Complainants filed a Reply on October 20, 2016. By Public Notice, Report No. 48637, December 22, 2015, the Commission consented to the pro forma voluntary assignment of license of Station WCPO-TV to Scripps Broadcasting Holdings LLC. This transaction was consummated on February 2, 2017.

3 Campaign Legal Center describes itself as “a nonpartisan, nonprofit organization that promotes awareness and enforcement of political broadcasting laws. The Campaign Legal Center’s mission is to represent the public interest in the enforcement of media and campaign laws.” Complaint at Exhibit A.

4 Common Cause describes itself as “a nonpartisan, nonprofit advocacy organization. It was founded in 1970 as a vehicle for citizens to make their voices heard in the political process and to hold their elected leaders accountable to the public interest.” Id.

5 Sunlight Foundation describes itself as “a nonpartisan nonprofit that advocates for open government globally and uses technology to make government more accountable to all.” Id.

6 Benton Foundation describes itself as “a nonprofit organization dedicated to promoting communication in the public interest.” Id. at n.1.

7 This matter previously was considered in Complaint Involving the Political Files of Scripps Media, Inc., licensee of Station WCPO-TV, Cincinnati, OH, Order, DA 17-15 (MB rel. Jan. 6, 2017) (Initial Order). That Bureau-level action was subsequently set aside, and the Complaint was returned to pending status to provide the full Commission with the opportunity to consider it. See Complaints Involving the Political Files of WCNC-TV, Inc., licensee of Station WCNC-TV, Charlotte, NC, et al., Order, DA 17-126 (MB rel. Feb. 3, 2017).

2. In a companion *Political File Clarification Order* released today, we resolve 11 other complaints filed by Campaign Legal Center and Sunlight Foundation alleging violations of the political file requirements by a number of broadcast licensees.⁸ We also clarify in that order certain record-keeping obligations that the Act and the Commission's rules impose on broadcast licensees and other entities⁹ with respect to the purchase of political advertising time.¹⁰ We do not take enforcement action in the *Political File Clarification Order* in instances in which a licensee failed to satisfy a requirement that we clarify in that order, but we admonish licensees for other violations where their conduct violated the clear mandate of the statute and our rules.¹¹ We take the same approach here. Thus, we do not take enforcement action against Scripps for conduct that implicates the requirements we clarify in the *Political File Clarification Order*.¹² However, as discussed below, we admonish Scripps for one violation of the clear mandate of section 315. Specifically, with regard to one political advertisement specified in the Complaint, we find that Scripps failed to maintain records that identified the sponsoring entity, as required by section 315(e)(2)(G). We place Scripps on notice that, going forward, it will be subject to enforcement action for willful and/or repeated failure to comply with any of its political file obligations, as clarified in this and the companion order.

II. BACKGROUND

3. Broadcast licensees have long been required by the Communications Act and the Commission's rules to maintain political files for public inspection. The Commission has stated that the political file record-keeping requirements are intended "to provide for accurate documentation of the disposition of requests for time."¹³ Every broadcast licensee bears a critical responsibility to ensure that its political files are complete.

4. Section 315(e) of the Act requires licensees to maintain political files for certain types of advertisements. Specifically, pursuant to section 315(e)(1)(B), licensees are required to make available for public inspection a "complete record" of each request to purchase broadcast time that "communicates

⁸ *Complaints Involving the Political Files of WCNC-TV, Inc., licensee of Station WCNC-TV, Charlotte, NC, et al.*, Memorandum Opinion and Order, FCC 19-100 (rel. Oct. 16, 2019) (*Political File Clarification Order*).

⁹ The obligation to maintain political files for public inspection also applies to cable television system operators engaged in origination cablecasting (*see* 47 CFR § 76.1701); Direct Broadcast Satellite providers (*see* 47 CFR § 25.701(d)); and satellite radio licensees (*see* 47 CFR § 25.702(b)). *See also Political File Clarification Order* at n. 7.

¹⁰ *Political File Clarification Order* at paras. 12-38.

¹¹ *Id.* at paras. 39-71.

¹² *See* Appendix for a list of the advertisements raised in the Complaint for which we do not take enforcement action in this Order and an explanation of the reasons we decline to take such action for each ad. We find that there are no political file deficiencies with respect to one of the advertisements listed in Appendix. However, with regard to the other advertisements listed in Appendix, we find that Scripps disclosed some, but not all, of the information required by sections 315(e)(2)(E) and/or (G) of the Act, 47 U.S.C. §§ 315(e)(2)(E) and 315(e)(2)(G). Subsection (E) requires the contents of the record to contain information regarding "the name of the candidate to which the communication refers and the office to which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable)" and subsection (G) requires the contents of a record to contain, among other things, "a list of the chief executive officers or members of the executive committee or of the board of directors" of the sponsoring entity. Because the political file deficiencies for these advertisements relate to obligations that we are clarifying in our *Political File Clarification Order*, we do not take enforcement action against Scripps for the deficiencies.

¹³ *In the Matter of Codification of the Commission's Political Programming Policies*, Memorandum Opinion and Order, 7 FCC Rcd. 4611, 4621 (1992).

a message relating to any political matter of national importance, including (i) a legally qualified candidate;¹⁴ (ii) any election to Federal office;¹⁵ or (iii) a national legislative issue of public importance.”¹⁶

5. As to each such request to purchase political advertising time, licensees are required under section 315(e)(2) to identify in their political files “the name of the candidate to which the communication refers and the office to which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable),”¹⁷ and among other information about the purchasing entity, “the name of the person purchasing the time, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.”¹⁸ The file also must contain information regarding “whether the request to purchase broadcast time is accepted or rejected by the licensee,”¹⁹ “the rate charged for the broadcast time,”²⁰ “the date and time on which the communication is aired,”²¹ and “the class of time that is purchased.”²²

6. Complainants allege that as of September 6, 2016, there were 17 entries in Station WCPO-TV’s non-candidate issue advertisement file for 2016. Of these 17 entries, Complainants allege that 16 were in violation of the Commission’s political file requirements²³ because they did not include

¹⁴ 47 U.S.C. § 315(e)(1)(B)(i). Pursuant to section 315(e)(1)(A), licensees also are required to maintain a political file for each request to purchase political advertising time that “is made by or on behalf of a legally qualified candidate for public office.” *Id.* § 315(e)(1)(A). This provision is not implicated by the Complaint.

¹⁵ *Id.* § 315(e)(1)(B)(ii).

¹⁶ *Id.* § 315(e)(1)(B)(iii). In the *Political File Clarification Order*, we clarify that the Commission will consider context in determining whether an advertisement that references a legally qualified candidate, an election, and/or a national legislative issue of public importance constitutes a “political matter of national importance” that triggers record-keeping obligations under section 315(e)(1)(B) of the Act. *Political File Clarification Order* at paras. 27-38. We also clarify that, for purposes of section 315(e)(1)(B), the term “national legislative issue of public importance” refers to an issue that is the subject of federal legislation that has been introduced and is pending in Congress at the time a request for air time is made. *Id.* at paras. 37-38.

¹⁷ 47 U.S.C. § 315(e)(2)(E). As we clarify in the *Political File Clarification Order*, for each request to purchase political advertising time that triggers record-keeping obligations under section 315(e)(1)(B) of the Act, licensees must identify in their political files all political matters of national importance referenced in the ad, including the names of all legally qualified candidates for federal office (and the offices to which they are seeking election), all elections to federal office, and all national legislative issues of public importance to which the communication refers. *Political File Clarification Order* at paras. 12-20.

¹⁸ 47 U.S.C. § 315(e)(2)(G). As we clarify in the *Political File Clarification Order* at paras. 21-26, under section 315(e)(2)(G) of the Act, licensees must disclose all of the chief executive officers or members of the executive committee or board of directors of any person seeking to purchase political advertising time under section 315(e)(1)(B). We further clarify in our *Political File Clarification Order* that in cases where the station has a reasonable basis for believing that the information provided appears to be incomplete, e.g., where the name of only one official has been supplied, the station will be deemed to have satisfied this obligation by making a single inquiry to either the organization sponsoring the ad or the third-party buyer of advertising time acting on the organization’s behalf as to whether there are any other officers or members of the executive committee or of the board of directors of such entity.

¹⁹ 47 U.S.C. § 315(e)(2)(A).

²⁰ *Id.* § 315(e)(2)(B).

²¹ *Id.* § 315(e)(2)(C).

²² *Id.* § 315(e)(2)(D).

²³ Station WCPO-TV is licensed to operate in a top 50 Designated Market Area and is a network affiliate (ABC) in Cincinnati. As such, it was required to maintain its political records in the Commission-hosted online public file beginning on August 2, 2012. *In the Matter of Standardized and Enhanced Disclosure Requirements for Television*

(continued....)

information required by section 315 of the Act.²⁴ In its Answer, Scripps generally states that for each of those ads, it placed in its political file: (a) NAB Form PB-18 (or other purchase form) provided by the potential advertiser;²⁵ (b) a Scripps-generated Station Issue Advertising Request Sheet (Request Form); and (c) one or more order forms.²⁶ Scripps concedes, however, that in one instance it failed to include in Station WCPO-TV's political file information sufficient to identify the sponsoring entity of an advertisement it aired.²⁷

III. DISCUSSION

7. We admonish Scripps for maintaining a deficient political file with respect to one request to purchase political advertising time for a non-candidate issue advertisement sponsored by the Democratic Senatorial Campaign Committee. We do not take enforcement action against Scripps for alleged political file violations with regard to the remaining 15 advertisements identified in the Complaint because either there were no political file deficiencies with respect to the advertisement or the conduct at issue involved licensee obligations that we find were not sufficiently clear prior to the clarifications we provide in the *Political File Clarification Order*.²⁸ Although we do not rule out more severe sanctions for a violation of this nature in the future, we believe that in this particular circumstance, the imposition of an admonishment will send an appropriate message to Scripps and the industry as a whole regarding the Commission's continuing commitment to ensuring the integrity of its rules relating to political files. We decline to take enforcement action in those instances in which Scripps' actions were inconsistent with the obligations that we clarify in the *Political File Clarification Order*. Going forward, we expect Scripps and all other entities that receive requests for political advertising time that trigger disclosure requirements under section 315(e)(1) to place in their political files immediately the specific items of information required by section 315(e)(2), as clarified in the *Political File Clarification Order*.

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Broadcast Licensee Public Interest Obligations, Second Report and Order, 27 FCC Rcd 4535 (2012); *Television Broadcast Stations Reminded of their Online Public Inspection File Obligations*, Public Notice, DA 12-2003 (rel. Dec. 11, 2012).

²⁴ Complaint at 2. Because all of the communications in question are non-candidate-sponsored advocacy ads, the Complaint does not allege any violations of section 315(e)(2)(F) of the Act (relating to materials that must be maintained for ads that are made by, or on behalf of, legally qualified candidates for public office). See 47 U.S.C. § 315(e)(2)(F).

²⁵ Scripps inadvertently referred to NAB Form PB-18 as "NAB Form PB-10." Answer at 2. NAB Form PB-18 is a form that the National Association of Broadcasters makes available to stations to facilitate the entry of required information into their political files for public inspection. Stations are not required by any Commission rule to use NAB Form PB-18.

²⁶ Answer at 2.

²⁷ *Id.* at 2. Scripps further maintains that "no viewer or advertiser contacted the Station to express concern about the accuracy or completeness of the issue-advertising section of its political file" and that "Complainants themselves do not claim to be either WCPO viewers or academics who might be particularly interested in the Ohio ads that form the subject of their complaint." *Id.* at 3. We reject Scripps's suggestion that a complainant must demonstrate specific ties to a station's viewing area to bring a complaint for violation of the political file rules. As we explain in the *Political File Clarification Order*, "a station's public file not only serves members of a broadcast station's community of license, but also is 'a tool for the larger media policy community,' including 'public advocacy groups, journalists, and researchers' who 'act in part as surrogates for the viewing public in evaluating and reporting on broadcast stations' performance.'" See *Political File Clarification Order* at para. 10 (quoting *Enhanced Disclosure Order*, 27 FCC Rcd 4535, 4545 (2014)). Accordingly, we find that Complainants are among the entities the political and public file requirements are intended to serve. *Supra* notes 3-6. See also *Political File Clarification Order* at paras. 8-10.

²⁸ See Appendix.

8. Specifically, we admonish Scripps for maintaining a record in its political file for a Democratic Senatorial Campaign Committee²⁹ advertisement that did not identify the Democratic Senatorial Campaign Committee as the sponsoring entity, in willful violation of section 315(e)(2)(G) of the Act.³⁰ Section 315(e)(2)(G) requires, among other things, identification of “the name of the person purchasing the time” for political advertisements.³¹ Scripps concedes that it identified the sponsor of the ad in Station WCPO-TV’s political file using the acronym “DSCC-IE”³² and that this acronym was “insufficiently descriptive.”³³

9. Scripps’s identification of the sponsoring entity through use of the acronym “DSCC-IE” was not adequate to discharge its responsibility under section 315(e)(2)(G). There is nothing in the record to indicate that “DSCC-IE” is a commonly recognized acronym for Democratic Senatorial Campaign Committee, or that there is widespread usage of that acronym to ensure that the general public is likely to be aware of what organization that acronym represents.³⁴ Indeed, Scripps itself concedes that the acronym was “insufficiently descriptive.”³⁵ Although Scripps maintains in its Answer that “any disclosure problem is substantially lessened by the fact that no ads from this buyer [had] yet run,”³⁶ licensees are required under section 315(e)(2)(G) to identify in their political files the name of the sponsoring organization for every request to purchase political advertising time that communicates a message relating to a political matter of national importance. Section 315(e) provides no exception from the obligation to identify the sponsor of an ad in cases where an ad has not yet aired. Accordingly, we admonish Scripps for its failure to properly identify the sponsoring organization in Station WCPO-TV’s political file.

IV. ORDERING CLAUSES

10. **ACCORDINGLY, IT IS ORDERED** that Scripps Media, Inc. **IS ADMONISHED** for failing to maintain complete political files for Station WCPO-TV, in willful violation of section 315(e)(2)(G) of the Act.

11. **IT IS FURTHER ORDERED** that the complaint filed by Campaign Legal Center, Common Cause, Sunlight Foundation, and Benton Foundation on September 26, 2016, is **GRANTED** to the extent indicated and is **DENIED IN ALL OTHER RESPECTS**.

²⁹ The Democratic Senatorial Campaign Committee describes itself as an organization “dedicated to electing a Democratic Senate.” See <http://www.dscc.org/about-us/>.

³⁰ 47 U.S.C. § 315(e)(2)(G).

³¹ *Id.*

³² According to Complainants, the acronym “DSCC-IE” refers to “Democratic Senatorial Campaign Committee - Independent Expenditure.” Complaint at 8.

³³ Answer at 5.

³⁴ Complainants also allege that Scripps used the acronym “DSCC” in Station WCPO-TV’s political file to refer to the sponsoring organization. That acronym, too, is unfamiliar to the general public and its use is equally inadequate to satisfy section 315(e)(2)(G) of the Act.

³⁵ Answer at 5.

³⁶ *Id.*

12. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by United States first class and certified mail, return receipt requested, to: Kenneth C. Howard, Jr., Esq., Baker & Hostetler LLP, Washington Square, Suite 1100, 1050 Connecticut Ave., N.W., Washington, DC 20036, Counsel for Scripps Broadcasting Holdings, LLC, licensee of Station WCPO-TV, Cincinnati, OH.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX

POLITICAL ADVERTISEMENTS FOR WHICH NO ENFORCEMENT ACTION IS TAKEN

- *AARP*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity, and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (Social Security). The ad in question, according to Complainants, called on the next President to have a "real plan to keep social security strong." Complaint at 3. Pursuant to our *Political File Clarification Order* (see para. 28; see also para. 65), in discussing Social Security, the ad communicated a message that was "political" in nature and of "national importance" (*i.e.*, it had significance on a national level). Consequently, it was appropriate for the Station to have identified Social Security in its political file for this ad as a political matter of national importance under section 315(e)(1)(B). In addition, we find that the Station's political file for this ad identified at least one official of the sponsoring entity,¹ and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *American Chemistry Council*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity, and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the relevant election to federal office) and at least one official of the sponsoring entity (the entity's CFO), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *American Future Fund*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.

¹ 47 U.S.C. § 315(e)(1)(B). We note that the Initial Order admonished Scripps for failing to identify in its political file any officials of the sponsoring entity for this advertisement, in willful violation of section 315(e)(2)(G) of the Act and section 73.1212(e) of the Commission's rules. Initial Order at paras. 8-9. We reject this finding because WCPO-TV's political file, in fact, identified two AARP officers. Although Scripps concedes that WCPO-TV's political file failed to identify AARP's CEO, Answer at 3, we take no enforcement action against Scripps for that omission because its failure to identify all of the officials specified in section 315(e)(2)(G) of the Act and section 73.1212(e) of the Commission's rules implicates an obligation that we clarify in the *Political File Clarification Order*. *Political File Clarification Order* at paras. 21-26.

- *Club for Growth Action.* Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate). We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Constitutional Responsibility Project.* Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity. We find that the political file for this ad identified two political matters of national importance (the legally qualified candidate and a Supreme Court vacancy). We also find that the Station's political file for this ad identified at least one official of the sponsoring entity (the entity's CEO). We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Fighting for Ohio.* Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity, and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate) and at least one official of the sponsoring entity (the entity's Treasurer), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Freedom Vote.* Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity, and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate) and at least one official of the sponsoring entity (the entity's Treasurer), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *New Day for America.* Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.

- *One Nation*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Our Principles PAC*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and it did not contain broadcast air dates. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate), and it contained broadcast air dates. We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Priorities USA Action*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and all officials of the sponsoring entity. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate) and at least one official of the sponsoring entity (a co-chairperson). We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Priorities USA African American*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify all political matters of national importance referenced in this ad and to correctly identify officials of the sponsoring entity. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate) and at least one official of the sponsoring entity.² We will not take enforcement action with respect to the Station's conduct in this instance to the extent that it did not identify additional political matters of national importance or additional officials of the sponsoring entity in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station's political file for this ad.
- *Senate Leadership Fund*. Complainants allege that WCPO-TV's political file was deficient because it failed to identify political matters of national importance (the name of the legally qualified candidate and the relevant election to federal office) related to a request for the purchase of air time on the Station by this sponsoring entity. Scripps maintains that the Station never

² According to Complainants, Scripps listed Ann Caprara as the sponsoring organization's "Executive Director" in its political file for this ad, but identified her in its political file for another ad sponsored by the same organization as "Executive Strategist." Complaint at 14-15. Scripps indicates that it subsequently corrected this information. Answer at 6. It is important for licensees to endeavor in good faith to properly identify officials of each sponsoring organization, as required by section 315(e)(2)(G) of the Act. In this instance, we do not believe that Scripps' initial mislabeling of Ms. Caprara's title, standing alone, warrants enforcement action.

received any spots for the ad, and the buy was ultimately cancelled. We find no basis for any action in this instance. Complainants accurately state that the political file contains an NAB Form PB-18 for this request that did not identify political matters of national importance. However, the political file does contain a “Station Issue Advertising Request Sheet,” dated June 28, 2016, in which the Station affirmatively represents, in lieu of any issue, candidate or election, that it is “waiting . . . to view spot.” Furthermore, the political file contains a revised “Station Issue Advertising Request Sheet,” dated September 28, 2016, that states “[c]ancelled before start. No spot arrived.” Under the circumstances, it appears that the Station was aware of its obligation to disclose political matters of national importance, and it appropriately placed the public on notice through its affirmative representation of an intention to disclose such information upon receipt. Accordingly, we cannot conclude in this instance that the Station was derelict in the maintenance of its political file with regard to this request for the purchase of airtime.

- *Senate Majority PAC.* Complainants allege that WCPO-TV’s political file was deficient because it failed to identify all political matters of national importance referenced in the ad. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate). We will not take enforcement action with respect to the Station’s conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station’s political file for this ad.
- *US Chamber 16 OH and U.S. Chamber of Commerce.* Complainants allege that WCPO-TV’s political file was deficient because it failed to identify all political matters of national importance referenced in the ad. We find that the political file for this ad identified at least one political matter of national importance (the legally qualified candidate). We decline to take enforcement action with respect to the Station’s conduct in this instance to the extent that it did not identify additional political matters of national importance in its political file, given that such deficiencies relate to obligations that we are clarifying in our *Political File Clarification Order*. Accordingly, we decline to take enforcement action with respect to the contents of the Station’s political file for this ad.