

**Testimony of
Jack N. Goodman
before the House Subcommittee on Information Technology
of the Committee on Oversight and Government Reform**

October 24, 2017

Good Afternoon Mr. Chairman, Ranking Member Kelly, and Members of the Subcommittee. My name is Jack Goodman. I am pleased to present testimony on disclosures and disclaimers involving political advertising.

I have advised radio and television stations about political broadcasting issues for several decades, both in private legal practice and in the Legal Department of the National Association of Broadcasters (NAB). I have spoken about political broadcasting issues to numerous groups of both broadcasters and communications attorneys.

My purpose today is to provide the Subcommittee with information on the rules that apply to political advertising on radio and television stations and on cable systems as background to your consideration of advertising on various internet-based platforms including social media. I will focus on the rules and policies established by the Federal Communications Commission (FCC). Although I am happy to answer questions about other FCC rules concerning political advertising, my testimony will explain FCC requirements for disclosure and disclaimers in political advertising.

First, I think some context is appropriate. Broadcasters have long been considered the most trusted source of news by Americans. Far more than any other medium, broadcast advertising involving politics is subject to detailed government regulations. These regulations affect what ads stations must accept, the information they must obtain from advertisers and must disclose to the public, and the prices that they charge for political ads. The rules are complicated; the Federal Communications Bar Association typically sponsors two updates on the political rules every election year for its members; many state broadcast associations sponsor political advertising rule update sessions for their members, and many station groups require their managers to attend sessions to learn about the rules every election year. Cable systems must comply with some of these rules; no other competing medium faces any of them.

In my experience, most stations take their compliance responsibilities very seriously, but find application of the rules to widely varying situations difficult. For me and my colleagues in the broadcast bar, election seasons are among our busiest periods, and the FCC's political broadcasting staff – which does a truly excellent job of providing real-time help when candidates and stations do not agree – is available almost any time in the months before elections. But as I will describe, the experience broadcasters have with these rules shows that Congress should be careful in imposing difficult new regulations on media platforms.

Turning to the rules, disclosure, as I refer to it, involves requirements for sponsors of political advertising to reveal who they are and who determines their policies. Disclaimer refers instead to the information that must be included in particular ads about their sponsor. Those rules are often referred to as “sponsor ID” requirements.

Both the FCC and the Federal Election Commission (FEC) have rules governing aspects of both disclosures and disclaimers. For many years, the two agencies have generally sought to avoid undue interference in each other's jurisdiction. Thus, in general, rules specifically relating to ads on broadcast stations or on cable are FCC rules, while rules relating to a wider range of political advocacy are established by the FEC. There is, of course, some overlap, but importantly, both agencies have concluded that broadcasters and their employees should not be required to serve as unpaid enforcement agents or as unofficial private detectives to determine the actual source of funds used to pay for political ads.

Disclaimers

The FCC's basic disclaimer rule for all advertising for a candidate or which involves a controversial issue of public importance is that the advertisement must include a statement at the beginning or end (unless the ad is longer than five minutes, in which case the disclaimer must be aired at both ends) saying either “paid for” or “sponsored by” whoever is actually paying for the ad. Thus, informal disclaimers such as “brought to you by friends of Joe Smith” are not acceptable unless “Friends of Joe Smith” is the name of Mr. Smith's official campaign committee.

In television ads, the disclaimer must be visual, must be displayed for at least four seconds, and must be in letters that are at least four percent of the screen height. Radio ads, of course, include only an audio disclaimer.

For any candidate to obtain the discounted candidate rate, or “lowest unit charge,” the candidate’s identifiable voice or picture must be in the ad, but that appearance does not have to be in the disclaimer. For candidates for Federal office, however, the Bipartisan Campaign Reform Act of 2002 (BCRA) created a condition on their right to the “lowest unit charge.” To qualify for the reduced rate, federal candidates must certify that the ads they run will either not refer to an opposing candidate or will include a statement by the candidate stating that he or she approved the broadcast. In television ads, that statement must also be accompanied by a picture of the candidate. Although the “I’m Joe Smith and I approved this message” disclaimer is only required by *the FCC* if a candidate’s message discusses an opposing candidate and the candidate sponsoring the ad wants the candidate discount, *the FEC* effectively requires the same message for advertising by any Federal candidate. Thus, this type of disclaimer has become ubiquitous in candidate advertising and is often included even in ads for state and local candidates which are not subject to either FEC rules or the BCRA condition on the candidate discount.

The disclaimer requirements effectively limit the type of ads that radio and television stations can sell to political advertisers. Short messages such as sponsorships or mentions, which are sometimes bought by commercial advertisers, cannot be used by political advertisers – whether candidates or issue advertisers – because the disclaimer cannot be accommodated in the short message. For the same reason, although stations generally must offer to candidates all types of advertising they provide to commercial advertisers, stations do not have to offer candidates formats which could not include a disclaimer.

It should be noted that the disclaimers I have discussed are required by the FCC, and the responsibility for including an accurate disclaimer in each ad is imposed upon broadcasters. There are additional disclaimer requirements that may apply to specific types of ads that are imposed under FEC rules. Those requirements apply to candidates or other advertisers. Stations are not required to examine proposed ads to make sure they include those FEC-mandated disclaimers, although I understand that many stations inform prospective advertisers if they notice that an ad fails to comply with FEC rules. NAB has put together a chart showing the various sponsorship identification rules, the ads to which they apply,

and whether they are imposed by the FCC or the FEC. A copy of that chart is attached to this testimony.

Disclosure Rules

Turning to disclosure rules, broadcasters and local cable systems must maintain public inspection files where the public can view documents relating to their operation. A key part of the public inspection file is the political file. All television stations now must have online public inspection files which are maintained on the FCC's website and are accessible by anyone over the internet. The FCC has also mandated that radio stations and cable systems transition to online public inspection files. Currently, only large cable systems and radio stations with more than five employees and which are in the 50 largest radio markets must keep their public files online. By March 1, 2018, every radio station and cable system will have to maintain an online public inspection file, at least for information created after that date.

What information stations must collect and place in their public inspection files depends on whether the advertisement is placed on behalf of a candidate or a candidate's authorized committee, or on behalf of an independent committee or issue advertiser. For non-candidate ads, the disclosure requirements also vary depending on whether the message relates to what BCRA described as "a political matter of national importance."

Although the FCC does not prescribe a particular form of agreements for political advertising, many, if not most, stations use the set of Political Broadcast Agreements published by the National Association of Broadcasters. Its current edition is commonly referred to as "PB-18." A copy of those forms is attached. They were designed to capture the information the FCC requires be placed into the political file.

When it adopted the online file rule, the FCC clarified that no disclosure of a request to purchase time would be required until a campaign makes a request for a specific schedule of ads; general requests for availabilities or discussions about "a general array of time" do not require disclosure in the political file.

For candidate advertising buys, the purchaser is required to disclose the candidate for which the time is sought, the office the candidate seeks in a particular election, the schedule that is requested, and the amount to be paid for the ads. The

buyer is also asked to state the source of payment for the time and to represent that the purchaser is either a legally qualified candidate or an authorized committee for such a candidate, and to provide the name of the treasurer of the candidate's authorized committee. Federal candidates, as explained above, also are asked to provide the certification about references to opposing candidates required by BCRA to qualify for the candidate discount rate.

In general, few problems seem to arise in connection with candidate disclosures. The most common issue in my experience is in determining whether the entity placing the ad is in fact an authorized buyer for the campaign. One national candidate in the 1990's instructed their time buyer not to provide any information demonstrating that they were an authorized purchaser to stations, which resulted in delays in their schedules being placed and disputes over whether the ads were entitled to the candidate discount rate.

The FCC also recognizes that information about when specific spots actually were broadcast is generally not assembled until a station issues invoices or confirmations, generally once a month. Once those are available, they must be placed into the station's political file. Before that, stations must make personnel available on request to confirm when spots actually aired.

Disclosure requirements for non-candidate ads, which include both independent expenditures relating to elections, and ads about issues or referenda, are more complex. BCRA established detailed disclosure rules for issue advertising that "communicates a political matter of national importance." The Act explained that this includes at least (1) references to a legally qualified candidate, (2) any election to Federal office, or (3) a national legislative issue of public importance. This definition is less than perfectly clear and results in periodic uncertainties. For example, is the inclusion of references to a "legally qualified candidate" intended to encompass issue ads about state and local races? Candidates in those races are "legally qualified," but since BCRA's exclusive focus in every other part of the law was on Federal candidates and races, most stations and their lawyers construe it to apply only to candidates for Federal office (which then makes the second element of the definition superfluous). The third element – a national legislative issue of public importance – also leads to questions. If, for example, Congress is considering a gun control measure, and a separate gun control measure were introduced in a state legislature, would an ad opposing the state gun control bill be subject to the BCRA expanded disclosure

obligations? The FCC has not clearly addressed these questions, and stations often have to ask legal counsel to decide how to characterize an ad.

If an issue ad does not communicate “a political matter of national importance,” FCC rules require that the station include in the public file a list of the officers, directors, committee members or other individuals who direct the activities of the sponsoring organization.

For issue ads that do fall within the BCRA definition, much more information must be provided. Stations must report that ads were run by a particular organization, and like candidate ads, must disclose the number of ads broadcast and the times they were aired, as well as the amounts paid by the advertiser. They are also directed to include in the file a list of the executive officers, or executive committee members or board members of the sponsor, although the FCC has ruled that, unless they are presented with extrinsic evidence that the identity of the stated sponsor is misleading, they are not required to look behind the sponsor’s identification of itself. Stations are further required to include for each such issue ad, the names of any legally qualified candidates referred to or the office being sought, and/or the issue to which the ad refers.

The latter two requirements – disclosure of the members of the sponsoring organization and the issues being addressed – have been problem areas. Some agencies that place issue ads refuse to complete the current NAB political agreement forms, and instead insist on filling out earlier editions of the NAB forms which asked for less information, or instead use their own form or leave out information entirely. Thus, stations not infrequently receive orders for issue ads that do not identify any individual at the sponsor, and even if the station insists, are often given only one name, which is typically the treasurer. If a station asks for more information, they often are told that the treasurer is the only official or at least the only one that the agency knows about.

And while there are repeated efforts to require stations to determine not only who the stated advertiser is, but also who may be contributing to an advocacy group, the difficulties stations have in obtaining even contact and other basic information about the stated advertiser should discourage efforts to require them to obtain the names of donors. Not only will advertisers and their agencies be reluctant or unwilling to provide that information, but even if some information is obtained, stations have no way to determine if that information is accurate or complete.

Stations face similar difficulties in getting accurate information about the issue to be addressed in ads. To be sure, unlike the list of executive officers, the issue disclosure requirement is far from clear. For example, if the National Republican Senatorial Committee places ads next year opposing Senator Kaine's reelection, do they also need to provide a description of issues other than "reelection of Senator Kaine"? And what if an ad discusses more than one issue; does each one need to be disclosed? Another problem can arise if advocacy groups reserve time well in advance and do not decide what specific issue to address until just before an ad runs. The FCC last year cited some stations for failing to obtain sufficiently specific information about the issues addressed in ads they aired, but the FCC later withdrew that decision, and these issues remain open.

Because of these problems, even the most conscientious stations have great difficulties in making sure that issue advertisers have fully disclosed the information BCRA requires to be placed in the political file. Thus, both the FCC and the FEC are correct in their conclusion that stations and their staffs should not be expected to act as government agents or to conduct investigations of their prospective advertisers. And while it is easy to say that stations could simply reject ads from uncooperative advertisers or agencies, doing so would restrict advocacy groups ability to reach voters, and broadcasters – who are fully committed to the First Amendment – should not be placed in the position of restricting speech.

Station Control over Ad Content

One short word about the content of political advertisements. The Communications Act bars stations from censoring uses by candidates. Thus, even if a candidate ad is untrue or contains libelous or slanderous material, stations cannot require the ad to be edited or refuse to air it. And because stations have no editorial authority, the Supreme Court has held that they cannot be held liable for the content of candidate ads. Issue ads, on the other hand, do not have the same protections. Stations can refuse to take them because of their content or may require them to be edited, and stations can be sued because of the content in issue ads. On the other hand, stations are not expected to be guarantors of the accuracy of every statement in an issue ad.

Stations frequently receive demands from candidates that they cease airing an ad which the candidate believes is inaccurate. If the ad is not sponsored by the

opposing candidate, stations often ask the advertiser to provide support for the claims in the ad, and then either evaluate the ad themselves or often ask counsel for their opinion. Often, the answers are not clear since a glass may be described as half-full or half-empty and both statements are at least technically accurate. But many stations, after evaluating ad claims, have declined to run the ads or required that they be edited to remove false or misleading claims. That process, as you might imagine, is difficult for station personnel and expensive.

Conclusion

Experience with the broadcast and cable political broadcasting rules I think is instructive going forward. With respect to disclaimers, given the increasing variety of formats for political speech, and with the prospect that the formats we know now may be replaced by others, a key element in any new regulations must be flexibility. Thus, rather than specifying what information must be disclosed in online or other political programming and the format that must be used, legislation should establish general goals and objectives and recognize that the means of achieving them will vary depending on the format and platform involved. That I believe requires delegation of the task of creating specific rules to an agency which can adapt the requirements to differing forms of political speech as they arise.

With regard to disclosures, if Congress concludes that the experience of the last election cycle justifies obtaining more information about political speakers' membership and financing, the Supreme Court has continued to hold that disclosure requirements are not barred by the First Amendment. But enforcement of disclosure obligations should not be placed on private parties which lack resources to investigate answers or the power to compel responses. Instead, if such obligations are established, the responsibility for ensuring the completeness and accuracy of disclosures should be placed on a government entity and that entity should then be empowered to impose sanctions on parties that fail to comply with those obligations.

Thus, for example, Section 9 of the bill proposed this week by Senators McCain, Klobuchar and Warner, which would require media providers – including broadcast stations and cable systems – to “make reasonable efforts to ensure that” political advertisements “are not purchased by a foreign national, directly or indirectly,” would be difficult to apply in practice. How far would the ban extend; would for example the fact that a donor to a group is married to a Canadian citizen prevent that group from running ads? How would the provision apply to public

companies that may have some foreign shareholders, or a few non-citizens on their boards?

Putting aside these questions about scope, presumably, if this were enacted, broadcast stations and other media platforms would ask each issue advertiser to certify that their membership or financing does not include foreign nationals. If the answer is “no,” as might be the case if a foreign country were attempting to influence an election, what would be the station’s obligation? Would it be allowed to take that statement on faith and run the ads? Would it be obligated to investigate, and if so, what resources could it employ, particularly if the membership of the organization were not required to be disclosed by other agencies? And if the response to the question later proved to be false, would the media company bear responsibility for accepting the ads, or would there be some means of punishing the company that provided a false certification?

These questions I believe indicate that, if Congress considers new disclosure rules, the interpretation and enforcement of those rules should not be assigned to private parties, but instead to a government agency that has authority to interpret the rules, investigative resources, and the power to impose sanctions for false reporting.

Thank you. I will be happy to answer any questions.



POLITICAL

BROADCAST AGREEMENT FORMS | PB-18



NAB POLITICAL ADVERTISING AGREEMENT FORMS (PB-18)

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ADVERTISEMENTS**

**PB-18 NAB AGREEMENT FORM FOR NON-CANDIDATE/ISSUE
ADVERTISEMENTS**



These political advertisement agreement forms have been designed to serve as actual contracts for the sale of political broadcast time and to satisfy FCC record retention requirements.

Produced by NAB's Legal Department and Published by the NAB Publications Department.

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Additional copies of the Political Agreement Forms in paper or electronic format are available through NAB Services, 1771 N Street, NW, Washington, DC 20036-2800. For price information, please visit www.nabstore.com.



POLITICAL BROADCAST ADVERTISEMENT FORMS PB-18

USING THE FORMS

IMPORTANT NOTE:

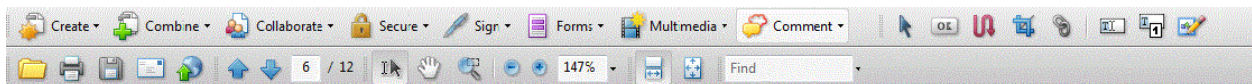
For the PB-18 Issues Form Only – If an Issue Advertiser certifies that the programming does not communicate “a message relating to any political matter of national importance,” stations should review the programming to verify that no such messages are communicated in the programming. Stations have an independent obligation to disclose rates and times aired in the public file for programming relating to such matters, and they cannot rely solely on an advertiser’s assessment of its own message.

Acrobat Reader XI

You must have version XI or higher of Adobe’s Acrobat Reader to use these forms. If you do not have Adobe Reader XI or higher, you can download a free copy at: <http://get.adobe.com/reader/>

Acrobat Toolbar Functions

When you install the Acrobat Reader and view a fill-in form, you will see a toolbar at the top of the document like this:



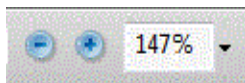
You need to use only a few of these buttons to complete a fill-in form. The buttons you need to use are explained below:



Pointer Tool

The **Pointer Tool** will most likely be pre-selected the first time you use Acrobat Reader. This tool allows you to fill in the forms on your desktop. This tool is selected when the cursor appears in the shape of an arrow like the one pictured on the button above.

With a fill-in form on the screen, move the pointer tool over a portion of the form to be filled in. You will notice that the pointer icon changes to a text icon, which looks like a capital I. This means that this is an area of the form that you are able to fill in using your keyboard. After you fill in that box, move your mouse to another field to fill it in. Note: you may also use the TAB button on your keyboard to advance to the next field. To mark a check box, move your pointer tool over a box and click your left mouse button. To unmark the box, move the cursor over the box and click again.



Zoom Tools

The **Zoom Tools** allow you to change the current view of the form displayed. Depending on your monitor size, you may need to use the + or - Zoom Tool to get a better view of the form. You can also type a percentage into the white box to select an exact percentage zoom.



Page Tools

The **Page Tools** help you navigate through the document. The number furthest to the right is the highest page number in the document. The number in the white box tells you what page you are currently on and you can edit that number to jump to a specific page. The arrow pointing upwards will move you one page forward on the current form, while the arrow pointing downwards will move you back one page on the current form.

Printing the Forms

To print a completed form, click on the print button:



Saving the Forms

Acrobat Reader does not allow forms to be saved. Complete the entire form, review and print prior to closing the file. Closing the file will erase all information filled in.

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☐ **FEDERAL CANDIDATE**

☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

Station and Location:	Date:
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I, _____,

being/on behalf of: _____,

a legally qualified candidate of the _____

political party for the office of: _____

in the _____

election to be held on: _____

do hereby request station time as follows:

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks

Attach proposed schedule with charges (if available):

I represent that the payment for the above described broadcast time has been furnished by:

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

Date

Signature

To Be Signed By Station Representative

☐ **Accepted**

☐ **Accepted in Part**

☐ **Rejected**

Signature

Printed Name

Title

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, _____
(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☐ **does**

☐ **does not**

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the **radio** programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☐ the **television** programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.

signature of candidate or authorized committee

printed name

date

AGREED UPON SCHEDULE

**(TO BE FILLED IN ONLY IF STATION DOES NOT ACCEPT ALL OF
CANDIDATE'S REQUEST)**

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks

Attach proposed schedule with charges (if available):

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- 1) actual air time and charges for each spot;
- 2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- 3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual times the spots air and the rates charged, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that specific spots aired and the rates charged. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

Station and Location:	Date:
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I, _____
do hereby request station time concerning the following issue:

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks

This broadcast time will be used by: _____

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
“COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE.”
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that “communicates a political matter of national importance” includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to “our next senator”, “our person in Washington” or “the President”); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate “a message relating to any political matter of national importance?”

☐ Yes

☐ No

For programming that “communicates a message relating to any political matter of national importance,” list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

I represent that the payment for the above described broadcast time has been furnished by (name and address):

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the “sponsor”).

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

For programming that “communicates a message relating to any political matter of national importance,” attach Agreed Upon Schedule (Page 5)

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
DOES NOT “COMMUNICATE A POLITICAL MATTER OF NATIONAL
IMPORTANCE”**

I represent that the payment for the above described broadcast time has been furnished by (name and address):

--

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the “sponsor”).

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

--

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). **For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least _____ before the time of the scheduled broadcasts.**

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

Date

Signature

Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

☐ **Accepted**

☐ **Accepted in Part**

☐ **Rejected**

Signature

Printed Name

Title

AGREED UPON SCHEDULE

For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks

Attach proposed schedule with charges (if available):

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual time the rate for spots “communicating a political matter of national importance” air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that and rates for specific spots aired. The FCC’s online political files include a folder for “Terms and Disclosures.” NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.