

## Appendix to opinion of the Court

## APPENDIX TO OPINION OF THE COURT

Title 47 U. S. C. A. §315(e) (Supp. 2003), as amended by BCRA §504, provides:

“Political record

“(1) In general

“A licensee shall maintain, and make available for public inspection, a complete record of a request to purchase broadcast time that—

“(A) is made by or on behalf of a legally qualified candidate for public office; or

“(B) communicates a message relating to any political matter of national importance, including—

“(i) a legally qualified candidate;

“(ii) any election to Federal office; or

“(iii) a national legislative issue of public importance.

“(2) Contents of record

“A record maintained under paragraph (1) shall contain information regarding—

“(A) whether the request to purchase broadcast time is accepted or rejected by the licensee;

“(B) the rate charged for the broadcast time;

“(C) the date and time on which the communication is aired;

“(D) the class of time that is purchased;

“(E) 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);

“(F) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

“(G) in the case of any other request, the name of

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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.

“(3) Time to maintain file

“The information required under this subsection shall be placed in a political file as soon as possible and shall be retained by the licensee for a period of not less than 2 years.”

Title 47 CFR §73.1943 (2002) provides:

“Political file.

“(a) Every licensee shall keep and permit public inspection of a complete and orderly record (political file) of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by the licensee of such requests, and the charges made, if any, if the request is granted. The ‘disposition’ includes the schedule of time purchased, when spots actually aired, the rates charged, and the classes of time purchased.

“(b) When free time is provided for use by or on behalf of candidates, a record of the free time provided shall be placed in the political file.

“(c) All records required by this paragraph shall be placed in the political file as soon as possible and shall be retained for a period of two years. As soon as possible means immediately absent unusual circumstances.”