

From: **Phillips, Molly** <molly@iowapbs.org>
Date: Wed, Oct 26, 2022 at 3:58 PM
Subject: Re: Request for clarification
To: rick <rick@rickstewart.com>
Cc: Batt, Andrew
<andrewb@iowapbs.org>, candidatecriteria@iowapbs.org <candidatecriteria@iowapbs.org>
<andrewb@iowapbs.org>

Mr. Stewart:

Iowa PBS is in receipt of your October 23, 2022, request for equal opportunities on Iowa PBS based on the appearance of two of your opponents in an Iowa Press gubernatorial debate broadcast on October 17, 2022.

Iowa PBS consulted with its experienced FCC communications counsel regarding your equal opportunities request. Under very well-settled case law and Federal Communications Commission (FCC) decisions, debates are exempt from equal opportunities as “bona fide” news events under 47 U.S. Code Section 315(a)(4). Moreover, the broadcaster has the discretion, in the exercise of its good faith news judgment, to set objective candidate criteria for debate participation. Applying these well-settled principles, the Iowa Press gubernatorial debate on October 17, 2022, was exempt from equal opportunities for opposing candidates like yourself. On that basis, Iowa PBS denies your request.

We understand that you are unhappy that your campaign did not meet the viewpoint-neutral criteria for the Iowa Press gubernatorial debate that occurred on October 17, 2022. We further understand that you would like Iowa PBS to revise or modify its debate criteria in the future. Iowa PBS sets its debate criteria well in advance of the primary and general elections using its editorial and journalistic discretion as a broadcaster; Iowa PBS’s criteria are not set by public process (nor by candidates nor by campaigns).

Finally, you mention a change in the polling threshold criterion for 2022 along with the debate criteria applied to another candidate for a different elected office (4th Congressional District candidate Ryan Melton). For 2022, Iowa PBS revised the polling threshold criterion to better reflect polling margins of error based on data from the 2020 election. For the 4th Congressional District office, Iowa PBS had hoped to schedule a debate, but no debate materialized. If a debate had occurred, candidates would have had to meet the General Election Debate Criteria to be eligible to participate.

Sincerely,

Molly M. Phillips
Exec. Director and General Manager