



Batt, Andrew <andrewb@iowapbs.org>

Request for clarification

rick <rick@rickstewart.com>

Sun, Oct 23, 2022 at 6:25 PM

Reply-To: rick <rick@rickstewart.com>

To: "Batt, Andrew" <andrewb@iowapbs.org>, "candidatecriteria@iowapbs.org" <candidatecriteria@iowapbs.org>

Cc: Caleb McCullough <cmccullough@qctimes.com>, Erin Murphy <erin.murphy@thegazette.com>, Ian Richardson <IRichardson@registermedia.com>, Tom Barton <tom.barton@thegazette.com>

Andrew -

As a legally qualified and ballot certified candidate, and nominee of the Libertarian Party of Iowa, for Iowa Governor, I hereby request my equal time opportunity on Iowa PBS as required by 47 U.S. Code § 315(a).

The other candidates in this race, Republican Party nominee Kim Reynolds and Democrat Party nominee Deidre DeJear, were each invited to participate, and did participate, in an Iowa Press Debate held on October 17, 2022. I was excluded because of my viewpoint, which is Libertarian.

Perhaps Iowa PBS thinks the October 17th debate was a 'bona fide news event (e.g., political conventions and debates between candidates),' and therefore exempt from equal opportunities under Section 315(a)(4) of the Communications Act. My opinion differs.

The October 17th Iowa PBS debate was not a **bona fide** news event because it was specifically designed, by Iowa PBS, to aid and advance the campaigns of my opponents, to my detriment.

Please also note the Arkansas Ed. Television Comm'n v. Forbes, 523 U.S. 666 (1998) case does not apply to this request, as in that case Forbes had 'long abandoned' his statutory claims under 47 U. S. Code § 315, thus the court expressed no opinion on that law, merely Forbes' First Amendment Rights, which I am not asserting.

Regarding the debate itself, you already know my opinion on whether or not you were legally allowed to exclude me. In this request I am not debating my exclusion, I am merely asking for my equal opportunity rights as legally required by Section 315(a) of the Communications Act.

Allow me to also seize this opportunity to remind you I have not yet received a response from you to my previous questions (see below), specifically but not limited to 1) why was the 5% polling threshold raised from 5% to 10%, and 2) why was Ryan Melton invited to an Iowa PBS debate when he failed to meet 4 of the 5 criteria as required for inclusion?

Respectfully,

Rick Stewart

Libertarian candidate for Iowa Governor

[Quoted text hidden]

3 attachments

State of Iowa Mail - 2022 Iowa Press Debates - Candidate Criteria Docs_EMAIL.pdf
151K

2022 Iowa Press Debates - Primary Election.pdf
284K

2022 Iowa Press Debates - General Election.pdf
291K