



March 29, 2016

VIA EMAIL

To: Station Managers Broadcasting
Trusted Leadership PAC Advertisement

Re: False Trusted Leadership PAC Advertisement

Dear Station Manager:

On March 29, 2016, Trusted Leadership PAC, a Super PAC dedicated to supporting Ted Cruz's candidacy for President of the United States, spent hundreds of thousands of dollars to run a false and misleading advertisement criticizing Ohio Governor John R. Kasich. We demand that your station not run these advertisements for the reasons stated herein.

The advertisement itself is false, misleading, and deceptive. Your station has a duty "to protect the public from false, misleading or deceptive advertising."¹ This advertisement knowingly asserts that Ohio Governor John Kasich has received "Hundreds of Thousands of Dollars From George Soros." Below, you can see false, misleading, and deceptive statement from the advertisement:



¹ *Licensee Responsibility With Respect to the Broadcast of False, Misleading or Deceptive Advertising*, 74 F.C.C.2d 623 (1961); *see also Cosmopolitan Broad. Corp. v. FCC*, 581 F.2d 917, 927 (D.C. Cir. 1978) (finding that a failure to prevent the airing of false and misleading advertisements may result in the loss of station's license).



The statement that John Kasich received “Hundreds of Thousands of Dollars From George Soros” is uncited because the statement is untrue and verifiably false. As confirmed by both the Associated Press and the Center for Responsive Politics, George Soros has never contributed to Governor Kasich or Governor Kasich’s campaign—or even to any group backing John Kasich. See Julie Bykowitz, “Soros Inaccurately Floated As Kasich Backer In Pro-Cruz Ad,” [The Associated Press](#), 3/29/16; see also ([Center For Responsive Politics Website](#), Accessed 3/29/16). Specifically, the institutions reported within hours of the advertisement's release:

FACT CHECK

***The Associated Press* Headline: “Soros Inaccurately Floated As Kasich Backer In Pro-Cruz Ad”** (Julie Bykowitz, “Soros Inaccurately Floated As Kasich Backer In Pro-Cruz Ad,” [The Associated Press](#), 3/29/16)

- **“Soros Himself Has Not Contributed To Kasich Or Any Republican Groups.”** (Julie Bykowitz, “Soros Inaccurately Floated As Kasich Backer In Pro-Cruz Ad,” [The Associated Press](#), 3/29/16)

According To Center For Responsive Politics Records, George Soros Has Not Contributed To Either Gov. John Kasich’s Campaign Or New Day For America. ([Center For Responsive Politics Website](#), Accessed 3/29/16)

This advertisement demonstrably is false, misleading, and deceptive. Unlike air time purchased by a federal candidate, the independent Trusted Leadership PAC has no “right to command the use of broadcast facilities,” and your station has no obligation to air a false and misleading advertisement. See *Columbia Broadcasting Sys., Inc. v. Democratic Nat’l Comm.*, 412 U.S. 94, 113 (1973). Consequently, your station bears responsibility for false, misleading, and deceptive advertisements.

Importantly, broadcast licensees have a responsibility and duty to protect the public from false, misleading and deceptive advertisements. Failure to do so may be “probative of an underlying abdication of licensee responsibility that may result in the loss of a station’s license. See *Cosmopolitan Broad. Corp. v. FCC*, 581 F.2d 917, 927 (D.C. Cir. 1978).

As you can see, the advertisement is false, misleading, and deceptive, and this group can be anything but TrusTED in the future. Licensees must not air advertisements that are false, misleading, and deceptive. We demand that your station investigate the false, misleading, and deceptive claims contained in this advertisement and remove it from the air.

Sincerely,

Matt Carle
Executive Director, New Day For America