



Federal Communications Commission  
Washington, D.C. 20554

June 14, 2024

**DA 24-571**

**Released: June 14, 2024**

Free Life Ministries, Inc.  
PO Box 282.  
Goldsboro, NC 27533

Re: WHFL-CD, Goldsboro Island, NC  
Facility ID No. 22485  
FRN: 005100284  
LMS File Nos. 0000118049

Dear Licensee:

This letter is in reference to the license renewal application (Application) for WHFL-CD, Goldsboro Island, North Carolina (Station), which is licensed to Free Life Ministries, Inc. (Licensee).<sup>1</sup> As discussed below, we hereby admonish the Licensee for its failure to include non-discriminatory language in the Station's advertising sales agreements.<sup>2</sup>

In the *Promoting Diversification of Ownership in the Broadcast Services Report and Order*, the Commission required commercial TV and radio broadcasters to certify in their renewal applications that their advertising sales agreements contained nondiscrimination clauses.<sup>3</sup> On March 14, 2011, the Media Bureau issued a public notice revising FCC Form 303-S for both radio and television stations to include a certification asking licensees if they complied with this requirement.<sup>4</sup> The Public Notice stated that if a licensee certified "No" they "must attach an exhibit explaining the persons and matters involved and why the matter is not an impediment to grant the station's license renewal application."<sup>5</sup> On March 22, 2011, the Enforcement Bureau released an Enforcement Advisory reminding licensees of their obligation to certify on their renewal application that their advertising sales contracts do not discriminate on the basis of race or ethnicity and that such contracts contain non-discrimination clauses.<sup>6</sup>

In its Application, the Licensee responded "No" to the certification stating: "Commercial licensee certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity

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<sup>1</sup> Application of Free Life Ministries, Inc. for Renewal of License as Amended, LMS File No. 0000118049 (filed Feb. 1, 2021; amended Mar. 23, 2021 and Feb. 23, 2022) (Application).

<sup>2</sup> Application at Non-Discriminatory Advertising Sales Agreements Certification, Attach. Anti-Discrimination Statement.

<sup>3</sup> *Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rulemaking, 23 FCC Rcd 5922, 5941, para. 49 (2008).

<sup>4</sup> *Media Bureau Announces Revisions to License Renewal Procedures and Form 303-S; Radio License Renewal Cycle to Commence on May 2, 2011*, Public Notice, 26 FCC Rcd 3809, 3810 (MB 2011). See also *Media Bureau Announces Procedures for 2020-2023 Television License Renewal Cycle*, Public Notice 35 FCC Rcd 3656 (MB 2020) (announcing availability of the revised license renewal form – Form 2100, Schedule 303-S – which maintained the certification relating to non-discrimination clauses in joint sales agreements).

<sup>5</sup> *Id.*

<sup>6</sup> See *FCC Enforcement Advisory, Non-Discrimination in Broadcast Advertising*, Public Notice, 26 FCC Rcd 3875 (EB 2011).

and that all such agreements held by the licensee contain non-discrimination clauses.”<sup>7</sup> The Licensee provided an attachment to the Application explaining “Free Life certifies that its advertising sales agreement do not discriminate on the basis of race or color or ethnicity. . . .Free life has discovered that their sales agreements inadvertently omitted a written non-discrimination clause.”<sup>8</sup> On February 23, 2022, the Licensee amended the Application to include an additional attachment explaining “Free Life updated the language in its advertising contracts to include non-discriminatory language concurrent with filing the license renewal application in July 2020. The non-discriminatory language has been included in all advertising contracts since July 2020.”<sup>9</sup>

While the Licensee certified “No” in its Application, there has been no evidence presented to the Commission that the Licensee or the Station has engaged in discriminatory behavior with regards to its advertising. We therefore conclude that the Licensee’s failure to include non-discrimination clauses in the Station’s advertising sales agreements does not warrant a monetary forfeiture. However, future failures to include non-discrimination clauses in advertising sales agreements may result in more severe sanction, including the assessment of monetary forfeiture or downgrade to low power television status.

Accordingly, **IT IS ORDERED** that, the application for renewal of license of WHFL-CD, Goldsboro, North Carolina **IS GRANTED** and Free Life Ministries, Inc. **IS ADMONISHED** for its failure to include non-discrimination clauses in the Station’s advertising sales agreements.<sup>10</sup> **IT IS FURTHER ORDERED**, that copies of this Letter shall be sent, by First Class and Certified Mail, Return Receipt Requested, to Free Life Ministries, Inc., PO Box 282, Goldsboro, NC 27533, and e-mail at [tjohnson@whfl.org](mailto:tjohnson@whfl.org). In addition, a copy of this letter shall be sent to its counsel, David O’Neil, esq., via e-mail at [doneil@rinioneil.com](mailto:doneil@rinioneil.com).

Sincerely,

/s/

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>7</sup> Application at Non-Discriminatory Advertising Sales Agreements Certification.

<sup>8</sup> Application at Attach. Anti-Discrimination Statement.

<sup>9</sup> Application at Attach. Free Life Amendment.

<sup>10</sup> Pursuant to section 73.3526(e)(10), 47 CFR § 73.3526(10), the Licensee shall place, within ten (10) calendar days of the release date, a copy of this letter in the Stations’ online public inspection file (OPIF) and that copy must be retained until grant of the Stations’ next license renewal application. The letter must be placed in the OPIF folder entitled “FCC Investigations or Complaints.”