

Wiley Rein Attorneys Kathleen Kirby and Ari Meltzer Quoted in *Communications Daily*

Communications Daily

April 4, 2011

Kathleen Kirby, chair of Wiley Rein's Media Group, and Ari Meltzer, an attorney in the Communications Practice, were quoted in two articles discussing a proposed Federal Communications Commission (FCC) requirement that would affect broadcasters and political advertisers, as well as proposed fines against two TV stations.

The Media Access Project (MAP) has recently proposed a requirement that stations list the names of all donors that have funded at least a quarter of each political ad. Industry experts predict that broadcasters and political advertisers would challenge the requirement. "MAP's proposal would represent a departure from current FCC requirements and the practices of most broadcasters," Ms. Kirby and Mr. Meltzer wrote to members of the Radio Television Digital News Association (RTDNA). "The FCC has broad discretion to waive this requirement. By requiring broadcasters to obtain a sworn statement of an advertisers' ownership, MAP would expand the 'reasonable diligence' obligation," they noted.

In another letter to the RTDNA, Ms. Kirby and Mr. Meltzer commented on the proposed FCC fines against two TV stations for airing video news releases in 2006 without identifying the sponsors. Industry attorneys have said that the fines have come now because the statute of limitations will soon run out. Ms. Kirby and Mr. Meltzer wrote that "to enforce a civil forfeiture, the Commission must bring a lawsuit within five years of the date when the claim 'accrued'-generally the date of the incident. With this deadline approaching, it would not be surprising for the Commission to address many of these dormant inquiries in the coming months." They added that at the time the complaints were made, the RTDNA met with FCC commissioners and

Related Professionals

Kathleen A. Kirby
Partner

202.719.3360
kkirby@wiley.law

Ari Meltzer
Partner

202.719.7467
ameltzer@wiley.law

Practice Areas

Telecom, Media & Technology
Media

made filings "raising the significant First Amendment concerns associated with these investigations."

For more information, please contact Kathleen A. Kirby at 202.719.3360 or kkirby@wiley.law or Ari Meltzer at 202.719.7467 or ameltzer@wiley.law.