

Jan Baran Comments After FEC Releases Opinion on Texting Political Donations

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Jan Baran, co-chair of Wiley Rein's Election Law & Government Ethics Practice, was interviewed by *The Washington Post* after the Federal Election Commission (FEC) approved legal guidance allowing for small political donations to be added to cell phone bills. Mr. Baran and Election Law partner Caleb Burns represented CTIA - The Wireless Association before the FEC. The agency issued an opinion that placed compliance burdens solely on campaigns and recognized that wireless providers had wide business discretion on which candidates and political committees could use the service.

The Post reported that "the agency unanimously approved two opinions spelling out technical details of how the proposals from Republican and Democratic firms would comply with the complex requirements of campaign finance law." It is still unclear whether campaigns will be able to start soliciting text-message donations before the November elections.

"They are reviewing the opinion to see if there are any remaining issues," said Mr. Baran, who added that the guidance from the agency means "the most important obstacle was removed."

In a separate article, Mr. Baran told *The National Journal* that "each service provider will determine whether to implement political donations by text messaging. While the FEC opinion to CTIA increases the likelihood of such a service, it can occur only if a carrier decides to get into that business and only after the industry establishes business criteria for offering that service."

Practice Areas

Election Law & First Amendment Litigation
Election Law & Government Ethics
Federal Election Commission
Representation
Foreign Agents Registration Act (FARA)

Mr. Baran was also quoted in other leading publications, including *Reuters*, Fox News and *Campaigns & Elections*.