

[Digital Media Issues and a Washington Update for Broadcasters - Presentations to the Utah Broadcasters](#)

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Broadcasters are inevitably moving toward a digital future - exploiting new Internet and mobile platforms to supplement their traditional over-the-air operations. Last week, I conducted two sessions in Salt Lake City for the Utah Broadcasters Association, one on the legal issues to be considered in connection with broadcasters' use of the digital media, and a second updating broadcasters on all the legal and regulatory issues that they face from Washington with their over-the-air operations. Slides from the digital media presentation, *Broadcasters Online: Legal Issues in the Cyber Jungle*, are available [here](#), and those from the broadcast update, the *Top Ten Washington Issues that Should Keep Broadcasters Awake at Night*, are available [here](#).

To show how quickly things move in Washington, since the seminar, there have been two new developments that relate to topics discussed at the seminar. On the day of the seminar, the Commission's Enforcement Bureau came out with a policy statement about a **certification that broadcasters need to include in all of their advertising contracts certifying that the advertising was not sold with a discriminatory purpose** - as there will be a specific question about the certification in all license renewal applications. We have summarized the requirements for the clause to be included in the advertising contract [here](#).

At the seminar, we also discussed **sponsorship identification**, and how stations must acknowledge the sponsor of anything of value that they receive in exchange for any on-air statement. On Friday, the FCC fined two television stations for receiving **video news releases** that were used on the air. These cases made clear that the broadcaster must acknowledge who paid for the production of a video news release that overtly promotes a commercial product - even if the station received nothing from the sponsor except for the video news release itself. A summary of those decisions can be found [here](#).

Other material of relevance to the broadcasters who attended the seminar include the following:

- A guide to the contents of a station's **public inspection file** can be found [here](#).
- A guide to preparing for the upcoming **license renewal** can be found [here](#).

- An article on the required on-air disclosures about the **material rules of a broadcaster's contest** can be found [here](#)
- Slides from last year's Utah seminar on the **FCC's EEO rules** can be found [here](#), and a guide to EEO compliance can be found [here](#).
- Information about the issues being considered in the FCC's proceeding on potentially repurposing some of the **television spectrum** can be found [here](#).
- The FCC's call for stations to register by April 5 their translators, LPTVs and the paths to cable head-ends and satellite receive locations to protect them from **white spaces devices** is summarized in our article [here](#).

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