

Media law memo #2

Law



Memo Mr. Chief Justice, Supreme Court Joseph Armstrong, Court Clerk March 13th, Opinion National Broadcasting Co., Inc. v. Federal Communications Commission et al

I am writing to you this memo regarding the above cited case. As you know, this case has been pending in the court because its decision has not been made. When it was initially brought before, the court by the Carter-Mondale Presidential Committee accused the petitioner of violating the candidate's right to reasonable access to broadcast at a time when the candidate was launching his 1980 presidential campaigns.

However, upon the court ruling, the petitioner decided to litigate the case and brought to the Supreme Court arguing that the court erred. The petitioner held that Section 312 (a) (7) of the Communications Act of 1934 only allows the Federal Communications Commission (FCC) to regulate broadcasts for violations like the one suffered by the petitioner.

In my capacity as a court clerk, I would like to appeal to you to keenly consider this case and make a wise ruling. The claims labeled on the FCC are quite complex and requires a critical thought before the final decision is made. So, in my opinion, you should affirm the case and uphold the earlier ruling. Even if the petitioner argues that the law only mandates FCC to regulate media houses for such repeated violations, it fails to acknowledge that the law grants more powers to the commission to do more than just that.

I would like you to base your decision on Section 312 (a) (7) which states that any legal candidate in a federal election has an exclusive right to media broadcast while conducting campaigns. In its claim, the petitioner fails to accept that the law mandates FCC to have a direct control over such

broadcasts by taking the necessary affirmative action to ensure that there is a reasonable access to the broadcast stations. The claim of violations is therefore not justified. NBC was justified for denying the candidate the required airtime because it would elicit more requests from other candidates who would have a legal right to claim for fair coverage and equality.

I kindly request you to consider my opinion and deliver a landmark ruling that will that will help in providing a roadmap for the communications sector in the country. Please, consider affirming the ruling because the petitioner does not prove the necessity of reversing the earlier ruling. 312 (a) (7) clearly stipulates how reasonable access should be granted at any given time. Thanks a lot. God bless you.

Yours Sincerely,

Joseph Armstrong, Clerk of the Supreme Court.