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For Immediate Release



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## Media Access Project Reacts to Indecency Decision

Andrew Jay Schwartzman, President and CEO of the Media Access Project expressed pleasure at today's U.S. Court of Appeals decision invalidating the FCC's enforcement policies for "indecent" speech:

"Score one for the First Amendment. It's a shame that citizens and broadcasters had to seek protection from the courts, but it is very reassuring to know that one branch of the government can rise above demagoguery."

Schwartzman and other Media Access Project (MAP) attorneys represented the Center for Creative Voices in Media (CCV) as intervenors in the U.S. Court of Appeals for the Second Circuit. CCV's members include many members of the creative community, and its brief to the court stressed the chilling effect of the FCC's action on writers, directors and other artists.

In today's decision, *Fox Television Stations v. FCC*, Judge Rosemary S. Pooler invalidated the FCC's March 2006 action attempting to revise and broaden the scope of the FCC's enforcement of the broadcast of indecent speech between the hours of 6am and 10pm. Schwartzman pointed out that because the Court's action was based on a narrow reading of the law, it is unlikely that the government will seek Supreme Court review, or that the Supreme Court would agree to hear the case if it were asked to do so.

MAP is a 35 year-old non-profit public interest telecommunications law firm which represents the public's First Amendment right to receive information from a diversity of sources in the electronic mass media. CCV is a nonprofit group dedicated to preserving in America's media the original, independent, and diverse creative voices that enrich our nation's culture and safeguard its democracy.

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