

SUMMARY

This is the "Reply" to the "Proposed Findings of Fact and Conclusions of Law" submitted by the Mass Media Bureau on July 5, 1995 in this proceeding. The Bureau seeks the disqualification of Praise Media, Inc. and the deletion of the facilities of KARW(AM), Longview, Texas, the only radio station which served the needs of the African-American community in the Longview region of east Texas.

In contrast to the arguments of the Bureau, however, the record facts and ruling case law require that Praise cannot be disqualified under any designated issue in this case. Thus, Praise is entitled to be considered for a permanent license in its own right to operate KARW(AM). Indeed, the presiding Judge must be governed by the policy of social justice of the Chairman of the FCC, rather than by the policy of irrational heartlessness of the Bureau's Enforcement Division. Moreover, Praise is entitled to as good a resolution of the KARW(AM) case as a series of white lawbreakers, including Rupert Murdoch, have received in their respective cases.

A grant of the KARW(AM) license to Praise would allow for the return of broadcast service tailored to the needs of

the African-American community of Longview, Texas. A grant of the KARW(AM) license would help the ownership of broadcast media in the Longview area "look like the people it serves". The public interest, convenience and necessity would be well served by a resolution of this proceeding in favor of Praise Media, Inc.

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BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

In re Application of)	MM Docket No. 93-265
)	
PINE TREE MEDIA, INC.)	File No. BR-900817UF
KARW(AM), Longview, Texas)	
)	
For Renewal of License)	

TO: Honorable John M. Frysiak
Administrative Law Judge

REPLY

Praise Media, Inc. (Praise), by its attorney, and pursuant to Sections 1.263 and 1.264 of the Commission's Rules and the procedural schedule in this case, hereby respectfully submits this Reply to the "Mass Media Bureau's Proposed Findings of Fact and Conclusions of Law" filed in the above-entitled matter on July 5, 1995. In so doing, the following is shown:

I. PRELIMINARY STATEMENT

1. The Mass Media Bureau's attitude in this case as reflected by its "Proposed Findings" demonstrates that it is determined to effectuate a double standard: the Bureau has one level of treatment, a forgiving, "look the other way"

standard for the wealthy and well-connected that it is pushing in MM Docket No. 90-424, the Longmont, Colorado renewal challenge case (as detailed in paragraphs 27-30 below); and there is another level of treatment, an unforgiving, "throw the book at 'em" standard for those of modest means¹, such as Janet Washington and Praise.

2. The attitude of the Bureau notwithstanding, the facts on this record and the applicable case precedents fail to provide justification for the harsh treatment that the Bureau seeks to have visited upon Ms. Washington, an African-American female. Indeed, the presiding Judge should fashion relief that looks toward the renewal of the KARW(AM) license while a proper assignment of license application is brought by Praise to the Audio Services Division of the Mass Media Bureau. Such a result would truly serve the public interest permitting broadcast service to be resumed to the sizable African-American community in the Longview, Texas area. Such a decision would also serve the Commission's

¹The late Review Board Member Eric T. Esbensen wrote about this phenomenon: [T]he Commission has, in the past, been accused at times of acting more harshly with smaller licensees than with larger ones, compare, e.g., *Nick J. Chaconas*, 28 FCC 2d 231 (1971), recon. den., 35 FCC 2d 699 (1972), aff'd sub nom., *Chaconas v. FCC*, 486 F.2d 1314 (D. C. Cir. 1973) (lack of candor leads to non-renewal) with *CBS, Inc.*, 69 FCC 2d 1082, 1091 (1978) (lack of candor leads to short-term renewal with one station). See *Catocin Broadcasting Corp. of New York (WBUZ)*, 2 FCC Rcd 2126, 62 RR 2d 1132, 1149 (¶67) (Rev. Bd. 1987).

stated objective of increasing the number of broadcast stations owned by members of the African-American community.

II. REPLY TO THE BUREAU

3. The Bureau's "Proposed Findings" would resolve HDO Issues 1, 2 and 4 in favor of Praise; that is, the Bureau concedes that the unauthorized transfer of control is not disqualifying as to Praise; that Praise had nothing to do with any possible misrepresentations or lack of candor in connection with the 1990 KARW(AM) license renewal application; and that Praise had taken care of certain FCC operating rule violations (with the exception of Section 1.1307, the environmental impact rule, where the Bureau would impose a condition).

4. The Bureau would, however, resolve HDO issue 3 (the "letters of inquiry" issue) and the issues added by the presiding Judge on March 2, 1995 (the "wherewithal" issue and the "Section 73.1740/73.1750" issue). Moreover, the Bureau seeks to disqualify Praise on an issue not designated against Praise, the Bureau claiming that Praise's principal, Janet Washington, made material and knowing misrepresentations in her testimony.

5. **Misrepresentation Issue.** At the outset, if the Bureau thought that such a misrepresentation issue was warranted, it was incumbent upon the Bureau to have made a timely motion pursuant to 47 CFR §1.229 to enlarge the issues. It failed to do so. The Bureau cannot be permitted to "ambush" Praise by seeking disqualification upon an issue to which Praise was not given proper notice and an opportunity to be heard.

6. As the Bureau knows or should know, the FCC's ruling case law states that it is prejudicial legal error for an ALJ in an *Initial* Decision to find and conclude that an applicant's principal made a "misrepresentation" to the Commission in the absence of a clearly designated misrepresentation issue. ***Pleasure Island Broadcasting, Inc.***, 6 FCC Rcd 4163 at ¶10 (Rev. Bd. 1991), citing ***West Coast Media, Inc. v. FCC***, 695 F.2d 617 (D. C. Cir. 1982).

The Board continued:

In vacating a similar conclusion in ***Silver Star Communications--Albany, Inc.***, 3 FCC Rcd 6342, 6349-50 (Rev. Bd. 1988), we recalled that the court has forcefully enjoined that a determination of a willful intent to deceive must be preceded by the timely designation of a disqualifying issue, and tried with a full and fair appreciation of the critical implications of such an issue. See also ***Tequesta Television, Inc.***, 2 FCC Rcd 7324, 7325 (1987); ***cf. Pepper Schultz***, 5 FCC Rcd 3273, 3274 (1990) (absent designated

truthfulness issue, ALJ remarks anent lack of candor not grounds for applicant disqualification), aff'd per judgment. No. 90-1318, filed March 21, 1991 (D. C. Cir.).

7. Furthermore, a misrepresentation or lack of candor, to be disqualifying, requires the presence of five elements: (1) a statement; (2) falsity; (3) materiality; (4) intent; and (5) agency jurisdiction. In other words, the existence of a false statement is not enough; there must be "scienter", or a motive to deceive. **Fox River Broadcasting, Inc.**, 88 FCC 2d 1132, 50 RR 2d 1321 (Rev. Bd. 1982).

8. Praise came to the hearing to admit those rule violations which existed. Praise never attempted to conceal the unauthorized transfer of control which is central to this case, and the Bureau knows that. The record shows that Praise's principal Ms. Washington was in frequent telephonic communication with Bureau personnel, particularly Mr. Shook, to cooperate with the FCC investigation of KARW(AM). The Bureau knows all this, but seeks to disqualify Praise anyway.

9. When Ms. Washington was having trouble on the issue of tower lighting, for example, in the first day of the hearing, we made the effort during the evening recess to

make sure that the facts were admitted and stated correctly at the outset of the second day of the hearing. The Bureau would disqualify Praise for not having records to substantiate certain testimony. But this is clearly insufficient to show that Ms. Washington knowingly made false statements.

10. The Bureau does not state a motive for Ms. Washington to have wanted to deceive the Commission. The case law, such as **Petroleum V. Nasby** and **Cavan Communications** (cited in Praise's "Proposed Findings"), stand for the proposition that license revocation is not required in the instance of a violation of FCC rules.

11. Thus, for the reasons that the Bureau (1) failed to ask for a hearing issue and (2) failed to demonstrate a motive for wanting to deceive the Commission, Praise cannot be disqualified for what the Bureau has called "testimonial misrepresentation/lack of candor". See **Garrett, Andrews and Letizia, Inc.**, 86 FCC 2d 1172, 49 RR 2d 1001, 1005-06 (Rev. Bd., 1981), rev. den. 50 RR 2d 802 (1981)².

²The Review Board stated at ¶18 of its Decision:

Those cases [**WMOZ, Inc.** and **Martin Lake Broadcasting Co.**] do not stand for the proposition that the mere existence of application discrepancies demonstrate a willingness to deceive or otherwise warrant the addition of a

12. **FCC Correspondence Issue.** The Bureau "blows out of proportion" the sins Praise supposedly committed by its "failure to respond" to Commission correspondence. The Bureau all but ignores Praise's explanation as stated in Praise Ex. 4. The Bureau also ignores the fact that Janet Washington had numerous telephone conferences with Bureau counsel James Shook, and that she believed that she had submitted to the Commission "all the information available to her" (Praise Ex. 4, p. 3).

13. The Bureau posits that the violation of Section 73.1015 that took place in this case disqualifies Praise from holding the license for KARW(AM). It cites no legal precedent for this harsh result. Indeed, had the Bureau researched the Commission's own cases under Section 73.1015, it would have found its position untenable as a matter of law. Again, we place before the presiding Judge **Dixie Broadcasting, Inc.**, 8 FCC Rcd 4386 (Steinberg, ALJ, 1993),

misrepresentation issue. A willingness to deceive "may be disclosed" by immaterial deceptions, but the burden is on the petitioner to make a prima facie demonstration of deception and a desire, motive or logical reason to mislead in order to have an issue added. The Commission will not infer deceptions or improper motives from an enumeration of alleged application errors, omissions, or inconsistencies, accompanied by speculation and surmise but lacking factual support. [emphasis supplied]

at ¶¶118-119, where a Section 73.1015 issue was resolved in favor of the renewal applicant:

the circumstances surrounding this rule violation establish that the misrepresentations were caused by gross negligence and wanton carelessness, rather than any intent to deceive. They do not, therefore, rise to a level justifying the denial of DBI's renewal applications.

Accord: **WXBM-FM, Inc.**, 6 FCC Rcd 7356, at ¶18 (Frysiak, ALJ, 1991).

14. Again, the Bureau has utterly failed to demonstrate a motive to deceive on the part of Praise. Thus, while there was a violation of Section 73.1015 in this case, it is not disqualifying.

15. **"Wherewithal" Issue.** As to the matter of "wherewithal" to place the station back in operation, it is submitted that the Bureau failed to make proper findings of fact and conclusions of law on the record evidence in this case. The presiding Judge is urged to adopt Praise's findings and conclusions, which are based on the documentation from Citizens Mortgage, Inc. Praise has a plan to place KARW back in operation. The presiding ALJ should give credit to Praise for this plan and should not disqualify it from holding the license of KARW.

16. Sections 73.1740/73.1750 Issue. Finally, the Bureau cites no case precedent whatsoever for a disqualification under the Section 73.1740/ 73.1750 issue. Rather, the one recent case we could find, **Cavan Communications (WTMS)**, 10 FCC Rcd --, FCC 95D-2 (Luton, ALJ, March 17, 1995), supports resolution of this issue in favor of Praise.

17. Ultimate Conclusion. As demonstrated above, Praise cannot be disqualified under any of the issues designated in this proceeding as a matter of law. Thus, the presiding Judge must seek to fashion relief which serves the ends of justice and the FCC's stated policies to foster ownership and operation of broadcast stations by persons of recognized minority groups.

III. THE FCC'S POLICIES TOWARD MINORITY APPLICANTS

18. Long-standing FCC policy seeks to foster the growth of ownership and management of broadcast stations by members of recognized minority groups. The Bureau's performance in this case has been at odds with that policy.

19. First, the Bureau opposed a modest 3½ hour continuance by the undersigned, even though he had been retained only 6:00 p.m. the previous evening and appeared in

the case as a "Good Samaritan" (Tr. 32-35); right off the bat, the Bureau blatantly showed unfairness to the undersigned. Second, and more seriously, the Bureau is seeking to deny Praise's efforts to become the licensee of KARW(AM) on the basis of issues that were not designated in this matter.

20. The Bureau's efforts to subvert law and procedure shows that the Bureau is openly defying the policy of the Chairman of the FCC on minority opportunities in broadcasting and telecommunications.

21. In a July 26, 1994 speech to the National Urban League Conference³, FCC Chairman Reed E. Hundt made the following statements of his policies toward members of minority groups (such as Ms. Janet Washington):

- [T]he chasm I am talking about is that between what Cervantes in Don Quixote called the difference between the haves and the have-nots. In our country, to a large degree, this is the chasm between a world that is largely white and a world that isn't, between a suburban world that is largely well-off by any objective standard and an urban world that isn't. (*Id.* at 1).

³The FCC released a copy of the text of this speech, mimeo no. 44077.

- All our lifetimes there have been two worlds in America joined by few, if any bridges: the largely white world of opportunity and reward for hard work, and the largely nonwhite world of diminished chances and persistent injustice (*Id.* at 1).

- [W]e at the FCC have three particular goals:

- 1) We want to promote equal employment opportunity;

- 2) We want to have the ownership and management ranks in this sector look more like the people they serve;

- 3) We want to improve education opportunities for urban and disadvantaged schools. (*Id.* at 4).

- At the FCC, we are also working hard to make sure that African-Americans have fair opportunities to work in the new industries of the communications revolution. (*Id.* at 4).

- Our second goal is to promote ownership and management opportunities by minorities and women in the communications business. * * * [W]e want to make sure that those who have historically been discriminated against will have a chance to participate as competitors and owners. * * * While thousands of minorities labored at building the railroads, not one had a true or fair opportunity to own and operate them (*Id.* at 5).

- It might be that if African-Americans had somehow been included as owners in these industries, African-Americans would not today be so disproportionately unemployed, poor, impacted by poor health services, and affected by violence. (*Id.* at 6).

- [A]t this time, minorities are seriously underrepresented in the ownership of telecommunications businesses. Let's look at the record.

-- There are 490 minority-owned telecommu-
nications firms -- of approximately 98,000 firms
in the industry -- one half of one percent.

-- Of about 10,000 commercial broadcast
radio and television stations, only 300 are
minority-controlled -- about 20 of 1000 television
licenses.

-- Of the approximately 7,500 cable
operators, nine are minority controlled. That's
just over one-tenth of one percent.

-- Of nearly 1,700 electronic computing
equipment manufacturers only one of these
companies is owned by an African-American. That's
five hundredths of one percent.

Now, what are we going to do about these numbers?
(*Id.* at 6).

- Twenty-six years ago Bobby Kennedy was here
in Indiana the day of the murder of Dr. Martin
Luther King. He talked about the choice before
us: "Among us are millions who wish to be part of
this society -- to share in its abundance, its
opportunity, and its purposes. We can deny this
wish or work to make it come true." (*Id.* at 9).

IV. COMPARISON OF KARW(AM) CASE WITH THE RESOLUTION OF OTHER FCC ENFORCEMENT CASES

22. Of course, while the Chairman of the FCC states
the public policy of the FCC, which the public has a right
to rely upon, the Chairman's minions throughout the FCC
continue with business as usual, beating up on the small and
the powerless, while letting favored applicant after favored
applicant "get away with it".

23. Praise would like to detail just a few cases where, when confronted by a white "law breaker", the Bureau (or the Commission *en banc*) has swept the transgressions "under the rug" and fashioned relief that either proposed a grant of a renewal application or permitted the lawbreaker to sell his station.

24. **Rupert Murdoch.** Most recently we have the case of white media baron Rupert Murdoch. ***Fox Television Stations, Inc.***, FCC 95-188, 10 FCC Rcd -- (Comm'n, May 4, 1995). Despite the fact that the Commission found that the African-American petitioners (NAACP) had made out *prima facie* cases that (1) Murdoch's company was in violation of the federal statute on alien ownership, 47 U.S.C. §310(b)(4) and (2) Murdoch's company had misrepresented or lacked candor with respect to representations (or the lack thereof) to the Commission on the exact ownership structure of the company. Nevertheless, the Commission resolved these matters, **without a hearing**, in favor of Murdoch. The Commission found that no *prima facie* case existed that Murdoch or his company possessed the intent to deceive the Commission (*Id.* at ¶¶70-148).

25. **Thomas Root.** Next, we have the case of Thomas L. Root. Root, a white communications attorney and

broadcaster, was an attributable principal in the licensee of WSWR(FM), Shelby, Ohio⁴. Root also had a colorful past in which he was convicted in U. S. District Court in Washington, D. C. of five felony counts and was a central figure in the now infamous "Sonrise Management Services" sham FM application scams in which over 1,000 residents of North Carolina alone were defrauded, to which he plead *nolo contendere*.⁵

26. Despite Root's utter lack of character qualifications, ALJ Edward Luton renewed the license of WSWR(FM) and did not find that WSWR(FM)'s unauthorized transfer of control had taken place pursuant to "deceit or

⁴The undersigned confirmed this fact last week in a telephone conversation with a member of the law firm serving as WSWR(FM)'s communications counsel, Bechtel and Cole.

⁵**Petroleum V. Nasby Corp.**, 10 FCC Rcd --, FCC 95R-11 (Rev. Bd. June 5, 1995); **United States v. Root**, 12 F.3d 1116 (D. C. Cir. 1994); in **Root**, at p. 1119, the appellate court cited with approval District Judge Penn's assessment of Root's crimes:

The Court further concludes that it should depart upward by 2 points based upon disruption of a governmental function and further because the guideline does not adequately reflect the loss and damage in this case.... [T]he defendant's action resulted in a significant disruption of a governmental function. These relates [sic] to the defendant's action is [sic] forging the signature of an Administrative Law Judge in an FCC proceeding and similar actions.... Persons who placed their trust in him and sought his assistance in seeking to obtain licenses with the FCC found themselves left out in the cold. The harm he caused and the potential harm he could have caused is substantial. Sentencing Memorandum ("Mem.") at 1-2, reprinted in J.A. 112-13.

concealment". **Petroleum V. Nasby Corp.**, 9 FCC Rcd 6072 (1994). The Review Board, at FCC 95R-11, modified the relief fashioned by ALJ Luton to require the Root family to sell WSWR(FM). Nevertheless, the Root family will be able to sell their station, and as a result the Root family will not be denied an opportunity to reap the fair market value of the radio station; such opportunity would have been lost were the WSWR(FM) license to have been revoked.

27. **Richard Phalen.** Next, we have the case of Richard C. "Rick" Phalen. Phalen was the mastermind of a scheme which involved the filing of an FM application at Montecito, California by his 19 year old daughter Shawn, an application that Rick Phalen dominated behind the scenes. ALJ Walter C. Miller, Review Board Chairman Joseph A. Marino and the late Board Member Norman B. Blumenthal all found that the Shawn Phalen application was a sham, that Shawn was "a fantocine in her sire's guignol", and that Rick Phalen masterminded the sham. ALJ Miller went so far as to recommend that the license renewal application for KQKS(FM), Longmont, Colorado⁶ be designated for hearing. **Shawn Phalen**, 4 FCC

⁶A Class C FM station in the Denver, Colorado market.

Rcd 5714 (Miller, ALJ, 1989), *affirmed as to Shawn Phalen*, 7 FCC Rcd 623 (Rev. Bd. 1992).

28. The KQKS(FM) application was challenged by three competing applicants⁷, and was designated for hearing on issues including the sham application issue. **Western Cities Broadcasting, Inc.**, 5 FCC Rcd 6177 (Bureau, 1990) (see issue "d") (case styled MM Docket No. 90-424). When the Montecito case was settled before a final decision, the results of the qualifying issues in that case were "vacated" by the Commission, and the issue was tried anew in Docket 90-424.

29. In the "Proposed Findings" and "Reply Findings" filed in Docket 90-424 on May 28, 1993 and June 25, 1993, respectively, the Bureau (with the very same Robert A. Zauner, Esquire as lead trial attorney who seeks in this case to punish Praise and visit financial harm upon it) made no reference or citation to either 5 FCC Rcd 5714 or to 7 FCC Rcd 623, and, in the view of the undersigned, ignored the facts and the law in the record and asked ALJ Arthur I. Steinberg to exonerate Phalen⁸.

⁷The undersigned represents one of the competing applicants.

⁸ALJ Steinberg has never issued an "Initial Decision" in this matter.

30. We raise this particular matter to question the fairness of the Bureau in the KARW(AM) case. Phalen was involved in the filing of a "sham" application; nothing that anything the Bureau accuses our client Praise and its principal, Ms. Washington, of doing is as disruptive to the FCC's processes or morally as bad as that done in the Phalen case. Yet, the Bureau would gladly suffer Phalen as a licensee of the Commission, but on the other hand would snatch away an opportunity to operate a daytime-only AM station in Longview, Texas from a young African-American female who deserves a chance.

31. Tim Brumlik. Two other situations where the Commission and/or Bureau gave succor to convicted felons warrant mention. First is the case of Timothy S. Brumlik, who was the controlling principal of the licensee of WFXL(TV), Albany, Georgia. Brumlik, a white male, had been convicted of a felony violation of 18 U.S.C. §1956(a)(3)(B), "laundering money from the proceeds of illegal drug-related activity", namely cocaine; thus the Commission had designated WFXL(TV)'s license for hearing and ordered its licensee to show cause why its license should not be revoked. **NewSouth Broadcasting, Inc.**, 6 FCC Rcd 5047 (1991) (crime described at ¶2). After WFXL(TV) sought protection

under the federal bankruptcy code, its bankruptcy trustee attempted to sell WFXL(TV) to a third-party buyer, for the benefit of "innocent creditors", despite the fact that Brumlik, the convicted felon, would receive some \$36,000.00 out of the proceeds of the sale. The Mass Media Bureau granted its consent to this sale, on the grounds that innocent creditors would be protected and that the benefit to the convicted felon would be "de minimis". **Walter S. Kelley, Trustee**, 9 FCC Rcd 1923 (Bureau, 1994). Yet, the fact remains that Brumlik had the debts of his television station paid, and then pocketed \$36,000.00 "to boot".

32. **James Nicholson**. Then there is the case of James Nicholson, controlling principal of the licensee of a station then known as KKSA(AM), Folsom, California. At the time of the attempted sale of KKSA(AM) to an innocent third-party, Nicholson, a white male, was incarcerated in California's Vacaville Prison on nine counts of felony grand theft. On reconsideration of its initial denial of the sale, the Bureau relented and permitted the sale, on the grounds that the station's "innocent creditors" would be protected by approval of the sale. **In re KKSA(AM), Folsom, California**, (Bureau letter, July 21, 1993) (unreported).

33. Other Cases of Note. Of course, any discussion of the favored treatment received by wealthy white broadcasters would not be complete without a mention of the following cases: (1) **RKO General, Inc.**, 5 FCC Rcd 638, 67 RR 2d 504 (1990), where the Commission permitted Gencorp., largely owned by the white O'Neill family, to sell the broadcast stations licensed to subsidiary RKO in "white knight" settlements where Gencorp still profited handsomely, even though ALJ Edward Kuhlmann had disqualified RKO under numerous hearing issues and had ordered the denial of all RKO license renewals⁹; **CBS, Inc.**, *supra*, where white-dominated CBS got away with a patent fraud, the "hype-ing" of a "winner take all" tennis tournament when in fact all the participants had been paid substantial appearance fees; and the NBC television network in the early 1960s, which had broadcast quiz shows such as "Twenty-One" which it knew or should have known to be fraudulent. The FCC took no sanctions against NBC, but attempted to revoke the license of an AM station in Fort Lauderdale, Florida owned by Jack Barry and Dan Enright, the producers of the shows in question. This, of course, is the fact pattern in the

⁹**RKO General, Inc.**, 2 FCC Rcd 4807 (Initial Decision, 1987).

famous *Melody Music, Inc. v. FCC*, 345 F.2d 730 (D. C. Cir. 1965); the Court of Appeals resoundingly rejected the attempt of the FCC to unfairly mete out justice against the small broadcaster while letting a similarly situated large and powerful broadcaster "off scot free".

34. **Summary.** Thus, we have found the FCC's files to be replete with cases where the Commission or the Bureau found innovative ways to help white persons with licensing troubles at the Commission. In each case, the misconduct is far more egregious than anything that has happened in the KARW(AM) matter. By contrast, in the KARW(AM) the Bureau has taken an inflexible approach with respect to an African-American controlled applicant, Praise Media, Inc. Fundamental fairness requires that Praise be accorded treatment and receive a result at least as good as that received by all of the white broadcasters enumerated above.

V. CONCLUSION

35. The record facts and ruling case law require that Praise cannot be disqualified under any designated issue in this case. Thus, Praise is entitled to be considered for a permanent license in its own right to operate KARW(AM). Indeed, the presiding Judge must be governed by the policy of social justice of the Chairman of the FCC, rather than by the policy of irrational heartlessness of the Bureau's Enforcement Division. A grant of the KARW(AM) license to Praise would allow for the return of broadcast service tailored to the needs of the African-American community of Longview, Texas. A grant of the KARW(AM) license would help the ownership of broadcast media in the Longview area "look like the people it serves". The public interest, convenience and necessity would be well served by a resolution of this proceeding in favor of Praise Media, Inc.

WHEREFORE, it is urged that the above-captioned application for renewal of license of Standard Broadcast Station KARW **BE GRANTED**, subject to the requirement that Praise Broadcasting, Inc. file an application for assignment of license of station KARW to it on FCC Form 314 and that