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FEDERAL COMMUNICATIONS COMMISSION  
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How Consolidation Has Impacted Minority Talent and  
Ownership

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ORIGINAL

How Consolidation has Impacted Media Coverage of  
Minority Issues

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Monday, May 19, 2003 - 12:00 p.m.

Hosted by Congressman John Conyers, Jr.

PRESENT:

Commissioner Michael J. Copps  
Congressman John Conyers, Jr.  
Professor John Arnold  
Councilwoman Joann Watkins

Panelists:

Janine Jackson  
Verna Green  
Peter Dicola  
Benjamin Chavis  
Earl Jones  
Grace Gilchrist  
David Honig  
Tony Gray

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INDEX

<u>PANELISTS:</u>	<u>PAGE</u>
JANINE JACKSON Media Watchgroup Fair	5
VERNA GREEN Black Chamber of Commerce, Former President WJLB	12
PETER DICOLA Director, Economic Analysis for the Future of Music Coalition	15
BENJAMIN CHAVIS President/CEO Hip-Hop Summit	21
EARL JONES Clear Channel, General Manager of WJLB and WMXD	29
GRACE GILCHRIST Vice-President/General Manager Channel 7, WXYZ-TV	33
DAVID HONIG Executive Director, Minority Media and Telecommunications Council	37
TONY GRAY President, Gray Communications	43
JOANN WATSON City Councilperson	47
COMMISSIONER MICHAEL J COPPS	73

1 Monday, May 19, 2003 - 12:00 p.m.

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3 (Remarks by dignitaries, including video tapes from  
4 Chairman Powell, Commissioner Abernathy and  
5 Commissioner Adelstein)

6 --- --- ---

7 Introduction of Moderator

8 Adjunct Professor John Arnold - U of M Dearborn

9 --- --- ---

10 David Honig: Background on FCC Ownership

11 --- --- ---

12 PROFESSOR ARNOLD: We will begin our panel  
13 discussion, and I will let you introduce yourselves  
14 and we'll start immediately on the left.

15 MS. JACKSON: My name is Janine Jackson. I am  
16 the program director at the Media Watchgroup Fair,  
17 fairness and accuracy and reporting.

18 MS. GREEN: My name is Verna Green. I am the  
19 former general manager of WJLB FM and WMXD FM.

20 MR. DICOLA: My name is Peter Dicola. I'm a  
21 Ph.D. student and a law student at the University  
22 of Michigan and I'm the director of Economic  
23 Analysis for the Future of Music Coalition.

24 MR. CHAVAZ: My name is Benjamin Chavis. I'm  
25 the president of the Hip-Hop Summit Action Network,

1           which is the largest national coalition of hip-hop  
2           artists and record company executives throughout  
3           the United States. We're based in New York City.

4           MR. JONES: I'm Earl Jones. I'm currently the  
5           general manager of WJLB and WMXD.

6           MS. GILCHRIST: I'm Grace Gilchrist. I'm the  
7           vice-president and the general manager of Channel  
8           7, here in Detroit, WXYZ-TV.

9           MR. HONIG: David Honig. I'm the executive  
10          director of the Minority Media and  
11          Telecommunications Council in Washington, D.C.

12          MR. GRAY: I'm Tony Gray. I'm the president  
13          of Gray Communications in Chicago, Illinois. We  
14          operate radio stations around the country and we  
15          consult with a number of radio stations around the  
16          country.

17          PROFESSOR ARNOLD: I like to hear opening  
18          remarks of Fairness and Accuracy and Reporting on  
19          media consolidations, the rules that are coming  
20          from the FCC on the second of June.

21          MS. JACKSON: Well, as has been stated  
22          earlier, one of the most troubling factors in this  
23          debate is that the public know so little about it.  
24          The Pew Charitable Trusts took a poll in February  
25          and found that 70 percent of the respondents said

1           that they had heard nothing at all about this  
2           discussion. That's in good part because the very  
3           media companies that stand to gain so much from the  
4           changes in rules that we've been discussing have  
5           done such an inadequate job of informing the public  
6           of those changes. In terms of Network Broadcasters  
7           Fair, the group that I work with, did a study  
8           several weeks ago in which we found a single  
9           network news story about these changes that at FCC,  
10          that was in the early morning news that aired at  
11          4:30 in the morning.

12                 Since then, we've updated that research just  
13                 last week. We've updated it to include a single  
14                 ABC Nightly News segment and three other mentions  
15                 on morning news, all of them before 7:00 a.m.

16                 In as much as media are reporting on the story  
17                 of these changes in rules, they do it kind of as a  
18                 story of claims versus counterclaims. Some people  
19                 say these changes will be wonderful, other people  
20                 say there will be problems. It's as though there's  
21                 no zair there. But, in fact, there is a track  
22                 record here and we've started to hear something  
23                 about it.

24                 We can look at what happened in radio. In the  
25                 wave of concentration that followed the

1           Telecommunications Act of 1996, that highly  
2           deregulatory act, minority ownership of radio  
3           stations dropped precipitously, dropped so  
4           dramatically that the Commerce Department actually  
5           launched an investigation into it. And you've  
6           heard some of those numbers now. We're now talking  
7           about less of four percent of radio outlets being  
8           owned by minorities.

9           It's very simple. It stands to reason.  
10          Consolidations squeezes out new owners. It's  
11          pretty direct. And, of course, and it means fewer  
12          opportunities for new owners and, of course, that  
13          will include those who have been historically  
14          excluded and continue to face discrimination in  
15          terms of lending and other relevant areas.

16          Now, that under representation of minority  
17          owners is troubling in itself. That ought to be  
18          troubling enough for a country that values  
19          diversity and ownership.

20          But also, we have to recognize media are not  
21          witches, media are not toasters and there is a  
22          demonstrable relationship between minority  
23          ownership and the likelihood of an outlet  
24          addressing issue of concern to people of color.  
25          We've talked about that a little bit before.

1           The National Association of Hispanic  
2           Journalist did a study, I believe, of broadcast and  
3           found that one percent of news stories addressed  
4           Latinos or issues of concerns to Latinos, one  
5           percent we're talking about here. There's that.

6           Consolidation has also meant, not  
7           theoretically may mean and let's guess about it,  
8           consolidation in the media industry has meant  
9           layoffs. It's meant mergers that have led to  
10          layoffs. Some 70,000 journalists have been laid  
11          off since June of 2000. That number is always  
12          influx, but there are websites cropping up to  
13          actually track layoffs in the journalism industry  
14          because it's such a prominent feature of the  
15          landscape. And again, situations of scarcity of  
16          opportunity always hit those who have been  
17          historically excluded the hardest, and who continue  
18          to face discrimination. So add to that that these  
19          consolidations also means budget cutbacks that  
20          affect the very programs, the internships, the  
21          outreach efforts and so forth that were designed to  
22          counter this historic and ongoing exclusion and  
23          discrimination.

24          And I would note as an aside that the rapidity  
25          with which some high-profile folks turn the story

1 of the Jason Blair, New York Times Tobacco into a  
2 fallacious discussion of diversity versus  
3 excellence. I think that's kind of a testament to  
4 the hesitant grasp that the media industry already  
5 has on affirmative action to begin with.

6 There is, and this attested to antidotally,  
7 there's a sense that diversity - - and let's be  
8 clear by this, I mean the absence of  
9 discrimination. I don't mean poppies and  
10 sunflowers together, I mean the absence of  
11 discrimination we're talking about here. Diversity  
12 is understood in the media industry as a luxury  
13 that can't be afforded when times are tough. And  
14 there's a feeling that times are looking to be  
15 tough indefinitely.

16 This is all against a backdrop, as we all  
17 know, in which people of color are under  
18 represented in the media business. A lot of  
19 numbers you could look for here, but for  
20 journalists, a recent study from Pointer has  
21 indicated that 9.5 percent of journalists are  
22 people of color. And again, that's against 27 or  
23 30 percent of the population. And that there's  
24 some variety there. Television looks like 14.7  
25 percent, people of color. Delta News Magazine is

1 at 8.2 percent. And again, the connection between  
2 diversity behind the scenes and diversity of  
3 coverage is demonstrated.

4 This is also against the backdrop of  
5 discrimination against people of color as  
6 audiences. And I want to say something real quick  
7 about this. This open secret in the media business  
8 of discounting in which advertisers simply pay less  
9 to advertise on stations that garner audiences  
10 mostly of people of color. This is an open secret.  
11 Everyone knows this. But it get translated into a  
12 situation in which shows, television shows that  
13 have an audience primarily of people of color, are  
14 not considered as successful, even if they have  
15 more viewers than another show that garners  
16 primarily white audiences because the advertisers  
17 who were signing the checks want the white audience  
18 and not the black audience.

19 This is crucial to understand because this  
20 process discounting is often pointed to as simply  
21 the economy at work. The favorite line was, "it's  
22 not black and white, it's green." Well, no,  
23 because as the FCC's own research has shown when  
24 you investigate reasons that advertisers pay less  
25 for audiences of color, the reason are not

1 economic, the reasons are racists.

2 PROFESSOR ARNOLD: You have one minute,  
3 Janine.

4 MS. JACKSON: All right, then, I've only got  
5 one more minute.

6 As the FCC's own research indicated you had  
7 folks like Ivory Soap saying they didn't want to  
8 take an ad on the Latino station because Hispanics  
9 don't bathe as often as non-Hispanics.

10 When you look into these rules, you find not  
11 economic policy, but discriminatory policy.

12 And I want to end on that note of discounting  
13 because it's a persistent practice that's often  
14 excused as the market, but it doesn't reflect a  
15 part-perfect market as in a textbook, it reflects  
16 the real world in which racism exists and requires  
17 active response.

18 I would say in conclusion, we don't need to  
19 translate values like diversity of viewpoint,  
20 protection of minority views, editorial  
21 independence, and Democratic debate. We don't need  
22 to translate these into ever-increasing profit  
23 margins for a select handful of companies in order  
24 to make them supportable, in order to make them  
25 justifiable. These are values of themselves.

1           So, to my way of thinking, the question has  
2           been posed wrong. It is not why shouldn't we give  
3           large Media Corporation more power, since they want  
4           it? The question is why should we? How can they  
5           demonstrate that such a concession would promote  
6           the Democratic ideals that we're discussing.

7           PROFESSOR ARNOLD: We'll come back to you.

8           MS. JACKSON: That's the end.

9           (Applause).

10          PROFESSOR ARNOLD: Could you give me five  
11          minutes for our statements?

12          Before we go any further, could any of you  
13          folk on the left side check your microphones,  
14          please.

15          Well, Janine's microphone is working really  
16          good.

17          MS. GREEN: I did not realize that we were  
18          going to make position statements at the beginning  
19          of this session, but my comments are very brief. I  
20          just wanted to say that, I read in a textbook about  
21          broadcasting. A definition of broadcasting that  
22          was very disturbing to me recently, because I think  
23          it's at the center of some of the controversy that  
24          we're dealing with right now and this textbook - -  
25          had I known we had to cite sources, I would have

1 written that down - - defined broadcasting as the  
2 process of creating inventory to sell at a profit.  
3 That was the definition that was given  
4 broadcasting. If you start from that perspective,  
5 then you understand why there is such a move by  
6 large companies to further consolidate.

7 The challenge the of consolidation, though, if  
8 you look at economical development at a local  
9 level, is that the vertical integration that  
10 results from consolidation, literally wipes out  
11 some jobs that are critical at a local level.  
12 Consolidation has created some jobs at management  
13 levels that are beyond the station level. But when  
14 you look at what happens inside the station, other  
15 than the sales departments, those jobs are  
16 disappearing.

17 There are announcers whose voices are heard  
18 all over the country and yet what that meant to the  
19 pool of potential talent to be developed, it  
20 literally has disappeared. So, it's kind of an  
21 almost now, a Catch-22 situation in that because  
22 there are such powerful announcers on morning shows  
23 that are heard all over the country, there's  
24 literally no farm team to replace them once they  
25 leave because there's no training opportunity

1           because positions simply don't exist.

2           There are positions that used to be held  
3           locally by announcers in some overnight positions.  
4           Those are done now with voice tracking.

5           So, you look to the industry and you admire  
6           the technological expertise and the ability to  
7           shift down cost, so that each activity yields more  
8           and more and more profit.

9           But, if you considered that most of the, let's  
10          say African American employees in the radio  
11          stations are hired by African American owners, the  
12          possibility of that talent pool growing is slim to  
13          none.

14          An example, at the station level now, the  
15          management decision making scope is lessened. They  
16          cannot determine which research companies to use,  
17          which research methods to use, in some cases, who  
18          handles travel, so that the local entrepreneurs who  
19          engage these opportunities, they're being shot out  
20          of these business opportunities.

21          So, the consequence of consolidation in terms  
22          of local economic development is negative. In terms  
23          of understanding how to develop an economic model  
24          in generating profit, consolidation is wonderful.

25          And as I recall, in 1996, a part of the reason

1 Congress was being lobbied by broadcasters, was  
2 that they weren't making enough money. They wanted  
3 to be able to own more stations, so that they have  
4 more inventory to make more money.

5 Now, I must tell at that time I was the  
6 Michigan representative on the Radio Board of the  
7 National Association of Broadcasting. And when  
8 that decision came down from Congress about  
9 deregulation, it was so drastic that even the  
10 members of the NAB were surprised.

11 I don't know the answer to all of this, but  
12 certainly I think that Chairman's Powell's idea of  
13 having a Federal Advisory Group will help if  
14 they're serious about hearing the input of the  
15 citizens in these different communities.

16 PROFESSOR ARNOLD: Thank you.

17 And I'm sure Professor Avery will be  
18 interested in this next young man. It's Peter  
19 Dicola and that's was a teacher of music, right?

20 MR. DICOLA: Good afternoon. I'd like to  
21 thank Representative Conyers for convening this  
22 important discussion. I'd also like to thank Wayne  
23 State and Karen Morgan for organizing the event.

24 (Applause).

25 As I mentioned earlier, my name is Peter

1       Dicola, I'm a Ph.D. student in Economics, as well  
2       as a law student at the University of Michigan in  
3       Ann Arbor. I serve as the Director of Economic  
4       Analysis for the Future of Music Coalition.

5               In November of last year, my colleague,  
6       Kristen Thompson and I published a report entitled,  
7       "Has radio deregulation serve citizens and  
8       musicians?" Our findings added up to a resounding,  
9       no. Deregulation hasn't served anyone, but a small  
10      number of large corporations.

11             If we were to ask, how radio deregulation  
12      affected minorities, we would find similarly  
13      discouraging answers. Those who work in media,  
14      have felt the sting of downsizing and consolidation  
15      already. But the burden of change is in the radio  
16      ownership rules have been born mostly by the  
17      public.

18             Deregulation and the ensuing consolidation of  
19      ownership were supposed to promote competition,  
20      localism and diversity in radio. Our findings show  
21      that this policy had failed every one of its goals.

22             To show you why this is the case, I would like  
23      to talk through a few of the key findings from our  
24      study.

25             First, by 2002, there were 33 percent fewer

1 owners of radio stations than there were 1996. My  
2 source for that is the FCC's own working group  
3 papers, as well as BIA Financial Network's database  
4 to radio stations.

5 Relaxing the ownership of rules for radio  
6 results in a flurry of mergers and acquisitions.  
7 And after the dust settled, only 3,400 owners of  
8 commercial stations were left. In 1996, that  
9 figure had been 5,100.

10 I'm not an expert on the subject minority  
11 ownership, but I do know that 33 percent fewer  
12 owners has meant fewer minority owners, too.

13 My second point is that two companies control  
14 42 percent nationwide market share in radio.  
15 Again, my source of that is BIA Financial Networks  
16 as it will be through the rest of this record.

17 Clear Channel and Viacom are the two largest  
18 radio parent companies. I'm going to refer them by  
19 the names of their parent companies. I don't refer  
20 to Viacom as its subsidiary's name, Infinity  
21 Broadcasting, because we need to keep track of who  
22 really owns what.

23 Clear Channel owns 1,240 stations nationwide  
24 with a 27 percent share of listeners, and Viacom  
25 owns 183 stations with a 15 percent share. These

1 two firms tower over the radio industry, even the  
2 other consolidators.

3 But the bottom line you need to understand,  
4 contrary to what Chairman Powell said in his video  
5 statement, is the concentrations by definition, the  
6 opposite of competition, I can attest to this, I  
7 study Economics. The textbook definition is that,  
8 competition is supposed to be a multiplicity of  
9 small firms competing with each other, not two big  
10 firms dominating everyone else, using in that  
11 competitive practices to push them around.

12 My third point is, that almost every local  
13 market is controlled by four firms with 70, 80, 90  
14 or even 100 percent market share. This bleaker  
15 picture emerges when you consider the radio  
16 industry as a collection of local markets, meaning  
17 our cities and our metropolitan areas.

18 Consolidations are extensive in all sizes of  
19 local market, but it's most severe in the smallest  
20 markets. Deregulation has frustrated the  
21 longstanding goal of localism in radio.

22 Audiences in local markets nationwide are now  
23 much less likely to hear locally based programming  
24 for local musicians on the air, it means less local  
25 news in our cities and it means less public

1 reporting on issues of concerns to minorities. For  
2 instance, during the affirmative action cases in  
3 Ann Arbor, the front page story in the Ann Arbor  
4 news was picked up from the AP. The story was  
5 happening in their city and they didn't have a  
6 reporter covering it.

7 The Radio/Television News Directors  
8 Association Foundation reported in 2001 that in the  
9 last seven years, the size of the typical radio  
10 newsroom has fallen 56.7 percent from 4.5 news  
11 people in 1994 to 1.95 today.

12 A newsroom with two people is bound to develop  
13 less resources to covering issues of interest to  
14 minorities; both ethnic minorities and people with  
15 minority opinions. This is contrary to  
16 Commissioner Abernathy's comments about there be  
17 more local news. The evidence simply doesn't bear  
18 that out.

19 My fourth and last point is that among music  
20 formats, we've found an extensive overlap exists  
21 between nominally different formats. Using radio  
22 playlist data from Radio Network Magazine, we found  
23 that formats like Urban and Contemporary Hit Radio  
24 Rhythmic overlapped at a 70 percent level. Thirty-  
25 eight of their top 50 songs in the weekly study

1 were the same.

2           These are two of the three highest rated music  
3 formats that target urban and especially minority  
4 audiences. They're supposed to be different  
5 formats. Having formats in different names is what  
6 the industry wants to call diversity. But they're  
7 playing essentially the same set of songs on Urban  
8 and CHR Rhythmic. Minority radio listeners have  
9 far less choice than the radio companies would have  
10 you believe.

11           Homogenating overlap also means that less  
12 airplay is available for musicians. Each big radio  
13 company has been, and will likely be, consolidating  
14 each format's programming decisions under a single  
15 executive. This organizational choice means that  
16 CHR Rhythmic Radio in Cleveland is going to sound  
17 even more like CHR Rhythmic Radio in Detroit.

18           The FCC, itself, in it's recent media  
19 ownership working group papers has found that  
20 Homogenating has increased within format, not just  
21 between format. Just a few gatekeepers control  
22 access to the airwaves now.

23           So, we've seen that radio deregulation has  
24 resulted in a small number of dominant companies,  
25 not competition. It has resulted in extensive

1 local oligopolies, not localism. It has resulted  
2 in format Homogenating, not diversity in  
3 programming. And it has resulted in a small number  
4 of gatekeepers from music and news, not diversity  
5 of viewpoints. There is something that's gone  
6 wrong. From the prospective of citizens and  
7 musicians, deregulation has failed to achieve its  
8 goals.

9 If we were to ask the most pressing question  
10 here today, how will further relaxation of the  
11 FCC's media ownership rules affect minorities and  
12 the public at large, I think we would even find  
13 more reason for concern.

14 Radio news staff has shrunk by more than half.  
15 We should ask ourselves whether we want that to  
16 happen to television news staff. We should ask  
17 whether having smaller number of owners would help  
18 our cities shape their communities. And we should  
19 ask ourselves whether we really believe that  
20 decreasing ownership diversity will really spark  
21 more diversity of programming and news coverage on  
22 our media.

23 What's happened radio is a cautionary tale.  
24 Media policy should change direction at this point,  
25 not continue headlong towards further Homogenating.

1 Thank you very much.

2 PROFESSOR ARNOLD: The Future of Music Study,  
3 is it available on the internet?

4 MR. DICOLA: It is. It's  
5 [www.futureofmusic.org/research/radiostudy.cfm](http://www.futureofmusic.org/research/radiostudy.cfm).

6 PROFESSOR ARNOLD: Our next panelist doesn't  
7 need a introduction in Detroit, Minister Doctor  
8 Benjamin Chavis-Muhammad.

9 MR. CHAVIS: First, I would like to express  
10 words of appreciation to Congressman John Conyers  
11 for his many decades of leadership on this issue  
12 and other issues that affect the rights and  
13 opportunities of all Americans, and in fact, all  
14 people throughout the world.

15 I am also pleased to be in the presence of  
16 newly-elected City Councilperson, Joann Watson.

17 (Applause).

18 We would like to thank the Federal  
19 Communications Commission for giving us an  
20 opportunity to go on the record on a very, very  
21 important subject matter. I'm here today on behalf  
22 of the Hip-Hop Summit Action Network. Russell  
23 Simmons is the chairman and the founder of our  
24 Board.

25 Over the last two years, the Hip-Hop Summit

1 Action Network has grown to be the largest national  
2 coalition of hip-hop artists and record company and  
3 recording industry executives in the United State.

4 Hip-hop is a genre of music, it's a culture of  
5 urban phenomena. And what is known as urban music  
6 or urban culture, really refers to hip-hop and R&B,  
7 and certainly, to be in the city of Detroit where  
8 R&B got such a foundation in the Motown sound. And  
9 most recently, we convened the largest ever Hip-Hop  
10 Summit here in Detroit, the Detroit Hip-Hop Summit  
11 where thousands of young people came out.

12 Of course, the preface of today's hearing is  
13 minority ownership and how will minority ownership  
14 be affected by the proposals now before the FCC,  
15 the vote that will be taken on June 2<sup>nd</sup>?

16 We would like to go on the record to say that  
17 the Hip-Hop Summit Action Network, we support  
18 minority ownership of television, minority  
19 ownership of radio, minority ownership of cable,  
20 minority ownership of all the vehicles of  
21 communication.

22 Now, one of the things we would like to add to  
23 this discussion without repeating what my  
24 colleagues have said, is that to me and to us, in  
25 order to get the right answers, you have to ask the

1 right questions. And we're not sure that, if you  
2 look at the six questions, the focus of the Federal  
3 Communications Commission, I would like to add a  
4 7<sup>th</sup> question, although I know the rule is not going  
5 to allow a new question, but I will put it on the  
6 record anyway.

7 We believe that after the question of  
8 ownership is settled, whether it's majority  
9 ownership or minority ownership, it is a question  
10 of what does the ownership do with the franchise?

11 We represent a constituency in the community  
12 where people believe that television, radio and  
13 cable should be rated, should be evaluated based on  
14 what they do in the community. And from my  
15 prospective in the Hip-Hop Summit, we work with  
16 some of the largest. We work with Radio One, which  
17 is the largest minority-owned, it's publicly-owned  
18 now; it started as a minority-owned radio network.  
19 And from time to time we work with Clear Channel.  
20 And we chose which radio station we're going to  
21 work with based on what that radio station is doing  
22 in the community. And one of the things we find in  
23 the major urban markets, I'll say the Top 20 urban  
24 markets, there is competition, fierce competition  
25 sometimes, but the competition, we feel, helps

1 people at the community level not only get access  
2 to radio, specifically radio, but helps diversify  
3 the programming. It helps diversify the community  
4 service that these radio stations or cable stations  
5 or television networks should be doing in the  
6 community.

7 So, yes, the question of ownership is  
8 important. But, for us it also a question of what  
9 does the ownership do with these stations once they  
10 become the owner. And in many situations in the  
11 urban community, the hip-hop community, we found  
12 that sometimes urban issues sometimes transcend  
13 rates. For example, right now 80 percent of hip-  
14 hop music is bought by whites, it's not bought by  
15 blacks. And there are some economic reasons  
16 because of that.

17 But the stations that serve the hip-hop  
18 constituency, which is a growing constituency - -  
19 and Detroit is a good example of how hip-hop  
20 transcends some the racial boundaries of the past,  
21 - is that we want to see the stations who make a  
22 lot of money, put money back into the community, in  
23 terms of community service.

24 And one of the things that Russell asked me  
25 - - Mr. Chairman, to put on the record - - Simmons,

1 he wanted to know if some of the big owners of the  
2 networks, whether it be Clear Channel, Infinity or  
3 Radio One or others; if those who already have a  
4 lot of network stations, would there be a interest  
5 in forming joint ventures with minorities, even  
6 though that they are a big conglomerate? In other  
7 word, when it comes to programming, when it comes  
8 to staffing, when it comes to community service, we  
9 believe there's a lot opportunity out there.

10 And a lot of times we get in fights with one  
11 another about questions and at the same time, at  
12 the end of the day, the communities could be better  
13 served, let me put it that way. And that is what  
14 we are interested. That is why we came to this  
15 hearing. We believe that the vote by the Federal  
16 Communications Commission on June 2<sup>nd</sup> is an  
17 important vote. We have been in dialog with the  
18 Chairman, Mr. Powell.

19 And I must say on the record, we take some  
20 exception, not some exception, strenuous exception  
21 to the FCC attempting to censor and prevent hip-hop  
22 music from being played in some of the markets  
23 around the country.

24 For a poet to have her - - for a black woman  
25 poet named Jones to have her poetry be singled out