

Minority Media and Telecommunications Council

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February 17, 2010

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Ms. Dortch:

RE: Notice of Ex Parte Communication:

- Review of Technical Policies and Rules Presenting Obstacles to Implementation of Section 307(b) of the Communications Act and to the Promotion of Diversity and Localism: RM-11565
- Promoting Diversification of Ownership in Broadcasting Services: MB Docket No. 07-294
- Portable People Meter – Commission Inquiry Pursuant To Section 403 of the Communications Act (47 U.S.C. §403): MB Docket No. 08-187
- Review of the Commission’s Broadcast and Cable Equal Employment Opportunity Rules and Policies: MM Docket No. 98-204
- Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks: EB Docket No. 06-119
- A National Broadband Plan for Our Future: GN Docket 09-51
- In the Matter of Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures: WT 05-211
- In the Matter of Review of the Emergency Alert System: EB 04-296
- In the Matter of Preserving the Open Internet Broadband Industry Practices: 09-191

This reports on a February 16, 2010, meeting with Senior Legal Advisor, Jamila Bess Johnson. Present from MMTC were MMTC Fellow Joseph S. Miller, Esq., and myself.

We informed Ms. Johnson that MMTC, along with other civil rights organizations, would be filing a letter with Chairman Genachowski stating that the required Section 257 investigation is almost two months late and requesting that he place on the agenda of the Commission’s April 2010 public Commission meeting a Report and Order adopting several of the dozens of long-pending, fully briefed and virtually unopposed proposals to advance media and telecom ownership diversity. Specifically, we discussed:

- The lack of EEO enforcement at the Commission over the past several years and the need for improved EEO enforcement to promote media ownership diversity.

Marlene Dortch, Esq.

February 17, 2010

Page 2

- The need for the Commission to appoint a compliance officer to enforce the advertising non-discrimination rule.
- The Commission's authority to call for an early license renewal, pursuant to Section 312, to prevent broadcasters from evading compliance with the advertising non-discrimination rule.
- Working with OCBO to evaluate pending items before the Commission.

Further, we urged that the Commission fully consider the impact of net neutrality rules on minority consumers and small businesses, especially with respect to Principle #5. The Commission should be especially wary of whether inflexible network management could lock in current disparities and unfairly shift inherent risk. We also stated that broadband adoption should be the Commission's highest priority.

Respectfully submitted,

David Honig

David Honig
President and Executive Director