

Letter from 23 National Organizations to FCC Chairman Genachowski

Government 2010-02-17 14:35:00

Washington, DC - Dear Chairman Genachowski:

As you know, in Section 257 of the Communications Act, Congress requires the Commission to submit triennial reports "identifying and eliminating market entry barriers for entrepreneurs and other small businesses...." The Commission submitted the required reports for 1997, 2000, 2003, and (several months late) 2006, but the Commission has not yet submitted its 2009 Report.

From your eloquent letter of January 5, 2010 to Henry Rivera, Chair of the Advisory Committee on Diversity for Communications in the Digital Age, we know that you share our concern for the fact that minority ownership and employment in our industries are *de minimis* and in many respects nearing extinction. Minority television ownership has decreased by 50% since 1999. Minority radio ownership has declined by 9% just within the last three years. Minority wireless and cable system ownership levels are near zero. Finally, minority radio journalism employment has plummeted to less than 1%, a level not seen since 1950.

It is therefore unfortunate that, in 2009, the Commission failed to vote on any of the dozens of pending proposals to advance minority ownership and participation in the industries the Commission regulates, including proposals endorsed by the Advisory Committee on Diversity for Communications in the Digital Age (<http://www.fcc.gov/DiversityFAC/>). The following examples illustrate the Commission's shortcomings in areas of concern to us. The FCC has failed:

- Το αδοπτ ανψ οφ τηε τωο δοζεν προποσεδ νονχοντροπερσιαλ ινιτιατιβεσ τηατ ουουλδ γιβε μινοριτυ βυσινεσσεσ αν οππορτυνιτυ το αχθυιρε ΦΧΧ-λιχενσεδ ασσετς.
- Το ρεστορε μινιμαλ ενφορχεμεντ οφ τηε βροαδχαστ Εθυαλ Εμπλοψμεντ Οππορτυνιτυ (ΕΕΟ) Ρυλε, ανδ το ασσιγν α χομπλιανχε οφφικερ το τηε 2007 Αδωερτισινγ Νονδισχριμινατιον Ρυλε ωηιχη, ιφ ιτ ωερε ενφορχεδ, χουλδ ρεστορε το μινοριτυ βροαδχαστερσ τηε αππροξιματελψ Ξ200 μιλλιον εδωερψ ψεαρ τηατ τηεψ φορεγο βεχουσε οφ ραχιαλ δισχριμινατιον βψ αδωερτισερσ.
- Το ηολδ α ηεαρινγ ον Αρβιτρον σ Πορταβλε Πεοπλε Μετερ (ΠΠΙΜ) αυδιενχε μεασυρεμεντεχηνολογψ.
- Φορ τηε φιφτη στραιγητ ψεαρ σινχε Ηυρριχανε Κατρινα το αχτ ον τηε Σπανιση Ραδιο Ασσοχιατιον/Υνιτεδ Χηηρχη οφ Χηριστ/ΜΜΤΧ πετιτιον το προωιδε φορ τηε μυλτιλινγυαλ βροαδχαστς οφ εμεργενχηψ ινφορματιον. Τηε Σεπτεμβερ 8,2009 ΦΧΧ Πρεπαρεδνεσς φορΜαφορ Πυβλιχ Εμεργενχιεσ Ρεπορτ διδ νοτ εδωε μεντιον τηις χριτιχαλ ισσυε.
- Το ρεπεαλ τηε 2006 Δεσιγνατεδ Εντιτυ ρυλεσ τηατ ηαδε δεχηματεδ μινοριτυ ωιρελεσς οωνερσηιπ: οφ τηε Ξ19 βιλλιον φοιρ μαρκετ ψαλυε οφ λιχενσεσ σολδ ιν Αυχτιον 73 λαστ ψεαρ, μινοριτιεσ αχθυιρεδ Ξ5 μιλλιον, ορ λεσς τηαν τηρεε-ηυνδρεδτησ οφ ονε περχεντ οφ τηε τοταλ ψαλυε οφ τηοσε λιχενσεσ.
- Το ινχλυδε εδωε α μεντιον οφ μινοριτιεσ ορ μινοριτυ βυσινεσς εντερπρισεσ ιν τηε Δεχεμβερ 2009 Νατιοναλ Βροαδβανδ Πλαν Φραμεωορκ < ιγνορινγ τηε τρανσχριπτς φορμ φουρ σταφφ ωορκσηοπς ανδ τωο φιελδ ηεαρινγς ατ ωηιχη τηε ωιτνεσσεσ φοχυσεδ ον μινοριτυ χψβερπρενευρσηιπ.

- Το συμπορτ της ονλψ ρεμαινινγ φεδεραλ ινιτιατιβε αιμεδ ατ προμοτινγ μινοριτυ ανδ ωομεν μεδια ανδ τελεχομ οωνερσηπ ∠ της Τελεχομμυνιχατιονσ Δεπελοπμεντ Φυνδ. Νοωηρε ιν της Χομμισσιον σ 2009 λεγισλατιβε ρεχομμενδατιονσ ωασ συμπορτ φορ τηισ πιταλ ινιτιατιβε μεντιονεδ. Ιν φαχτ, ον θανυαρψ 28, της Αδμινιστρατιον ∠ ωιτηουτ χονσυλτινγ ωιτη διωερσιτυ αδωοχατεσ ∠ προποσεδ α βυδγερ τηατ ωουλδ ελιμινατε της Φυνδ εντιρελψ. Τη βυδγερ ναρρατιβε συγγεστεδ τηατ α προποσεδ λοαν προγραμ ανδ, εωεν μορε ιμπλαυσιβλψ, της ΥΣΦ αρε αδεθυατε συβστιτυτεσ φορ τηισ εθυιτυ φυνδ φορ νεω εντραντσ.

To advance the civil rights objectives of the agency and the administration, we would be glad to assist the Commission with a comprehensive review of what can be done in 2010 to promote minority ownership and equal employment in the telecommunications sector. We specifically ask that you 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.

Sincerely,

Asian American Justice Center

Black College Communication Association

The Hispanic Institute

Hispanic Technology and Telecommunications Partnership

International Black Broadcasters Association

Latinos in Information Sciences and Technology Association

Lawyers' Committee for Civil Rights Under Law

League of United Latin American Citizens

Minority Media and Telecommunications Council

National Association of Black Owned Broadcasters

National Association of Black Telecommunications Professionals

National Association of Latino Independent Producers

National Association for the Advancement of Colored People

National Black Coalition for Media Justice

National Coalition on Black Civic Participation-Black Women's Roundtable National Congress of Black Women, Inc.

National Council of La Raza

National Puerto Rican Coalition

National Urban League

Rainbow PUSH Coalition

Spanish Broadcasters Association

United States Hispanic Chamber of Commerce

UNITY: Journalists of Color

cc: Senator Robert Menendez

Congressman Bobby L. Rush

Congressman Edolphus Towns

Congressman G.K. Butterfield

Delegate Donna M. Christensen

Hon. Michael J. Copps, Commissioner, FCC

Hon. Robert McDowell, Commissioner, FCC

Hon. Mignon Clyburn, Commissioner, FCC

Hon. Meredith Attwell Baker, Commissioner, FCC

Hon. Calvin Smyre, President, National Black Caucus of State Legislators Hon. Iris Martinez, President, National Hispanic Caucus of State Legislators Hon. Robin Read, President, National Foundation of Women Legislators

Hon. Sharon Weston-Broome, President, National Organization of Black Elected

Legislative Women

Hon. Robert Steele, President, National Association of Black County Officials Hon. Sergio Rodriguez, President, Hispanic Elected Local Officials

Hon. Samuel Audwin, President, National Black Caucus of Local Elected Officials Hon. George Grace, President, National Conference of Black Mayors

ccs to FCC Dockets:

GN 09-51 (National Broadband Plan)

MB 09-817 (Portable People Meter)

MB 07-294 (Broadcast Diversity)

EB 06-119 (Hurricane Katrina Independent Panel) WT 05-211 (Designated Entities)

EB 04-296 (Emergency Alert System)

MM 98-204 (Broadcast EEO)

RM-11565 (MMTC Radio Rescue Petition)

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