

Testimony of

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before the

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Committee on Commerce, Science and Transportation

Regarding

Localism, Diversity, and Media Ownership

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Good morning Mr. Chairman and members of the Committee. Thank you for the opportunity to testify.

My name is Alex Nogales, I am the president of the National Hispanic Media Coalition. The National Hispanic Media Coalition (NHMC) is a 21-year old non-profit civil rights and advocacy organization created to improve the image of American Latinos as portrayed by the media and to advocate for media and telecommunications policies that benefit the Latino community.

I am here today to deliver a message of profound importance to my community. It is simply this: the state of minority ownership in the American broadcast industry is in crisis.

Our country is diversifying, but our media is not. More than a third of Americans are people of color. Yet they own less than 3% of television stations and less than 8% of radio stations—and these numbers are going down, not up. This is not only a disgraceful situation, it is a dangerous one. Because ownership determines the content in our media system. And if the structure of media ownership rests on inequality, it will breed inequality in representation, culture and politics.

We cannot hope to build a strong and just society if the tools of mass media and representation remain in the hands of the few at the expense of the many. This is why the Congress instructed the Federal Communications Commission to promote minority ownership in the Telecommunications Act of 1996. But the FCC has ignored that responsibility. Its record of neglect is deeply troubling. Let me review the agency's track record:

First, the FCC has never produced an accurate count of how many broadcast licenses are owned by people of color. It is hard to believe this could be true, but it is true.

Second, the FCC has long supported policies that permit further media consolidation despite the clear evidence in the marketplace that it shuts out minority broadcasters.

Third, the FCC has ignored both the Congress and the Courts, both of which have instructed the agency to advance the cause of minority owners.

In short, minority ownership is in crisis because the Commission does not seem to care about minority ownership and has done virtually nothing meaningful to address the problem.

And now, it is happening once again. As we speak, the FCC is preparing to change media ownership rules to allow more consolidation. This policy will come at the expense, once again, of minority owners.

But let me assure you, while the FCC may have neglected this issue, communities of color have not been silent.

In response to the FCC's current drive toward media consolidation, more than 20 national civil rights organizations, including NHMC, the National Council of La Raza, the League of United Latin American Citizens, Rainbow PUSH, and the Urban League, as well as numerous

congressional leaders have all called on Chairman Martin to support the creation of an independent task force that will address the issue of minority ownership *before* the Commission considers issuing new rules on media ownership.

But unfortunately, Chairman Martin has rejected these appeals. Instead he is racing full speed ahead with plans to make rules by the end of the year. He will do this despite the fact that his agency has never addressed the potential impact on minority owners. His indifference is so brazen that he has not even counted the minority owners!

He has refused to count minority owners and measure the impact of consolidation because he knows that any such study will demonstrate what we already know: media consolidation reduces minority ownership. You cannot have a policy that promotes media consolidation *and* minority ownership at the same time. They are in direct contradiction. Decision makers must all take a hard look in the mirror and make a choice. It is either one or the other. Ignoring this fundamental question is unacceptable.

The severity of the problem cannot be brushed aside. Latinos comprise 15% of the US population. Yet Latinos own just 15 of the more than 1300 full-power commercial television stations in America. That is 1%. Radio is not much better. We own just over 300 radio stations out of more than 10,000, just under 3%. This level of inequality is absolutely unsustainable.

The FCC cannot solve this problem with a minor course correction. We need a full rethinking of the Commission's priorities. Let me give you another disturbing example. In a recent survey of media usage conducted for the FCC by Nielsen, the agency simply forgot to ask about Latinos. They asked about every other minority group, but left out Latinos. This kind of oversight is symbolic of the attitude of this agency toward the Latino community.

This is why the FCC must not move forward with issuing new media ownership rules until it creates an independent minority ownership task force that is empowered to perform an accurate census on minority and female owners and then analysis the impact of policy decisions on minority ownership.

Concentrated media ownership leads to media content that is harmful to communities in color in so many ways. Let me give you just one example before my time is up that illustrates the point. In recent years, we have seen the rise in hate speech on talk radio programs attacking the Latino community as a result of the debate over undocumented workers. The megaphone offered to this odious brand of hate speech comes with the compliments of large, radio conglomerates that own hundreds of stations across the country. They are not accountable to their local communities, and they care little for the political and cultural impact of their programming behind the bottom line.

Just look how fast these large radio companies put Don Imus back on the air just months after receiving national shame for making racist remarks against African American women. Broadcast insults like the Dom Imus racial slurs are happening everyday against the Latino community and there is nothing but silence from the FCC.

Hate speech is a symptom of the larger disease of inequality in the ownership of broadcast stations. Undeniably, more diversity of ownership would result in more diversity of content. Let us not forget it is the policy of this country to bring the diversity of broadcast owners into alignment with the diversity of the population. For too long the FCC has made the situation worse instead of better.

It is time for Congress to reverse this disastrous course and begin to take the country down the long road toward equality.

I thank you for your attention, and I look forward to your questions.