



**National**  
Urban League

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Congress of the United States  
House of Representatives  
Committee on Energy & Commerce  
Subcommittee on Communications and Technology  
“Lifting Voices: Legislation to Promote Media Marketplace Diversity”  
Testimony and Statement of  
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Washington Bureau  
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Good Morning, Chairman Doyle, Ranking Member Latta, and Members of the Subcommittee.

I am Clint Odom, Senior Vice President for Policy and Advocacy and Executive Director of the Washington Bureau of the National Urban League. Founded in 1910, the National Urban League was established as a nonpartisan, nonprofit civil rights organization dedicated to the economic empowerment of African Americans and other underserved populations. We conduct our work through a network of 90 Affiliates across 36 states and the District of Columbia, and the historic Washington Bureau. The National Urban League proudly serves 2 million constituents each year.

I am here today to share our perspectives on proposed legislation and policies to advance the critical goal of media diversity. Before my current role, I served as an attorney and legal advisor to FCC Chairman Bill Kennard and Commissioner Jessica Rosenworcel, including time as a young lawyer helping the agency figure out how to pursue ownership diversity in the wake of the Supreme Court's decision in *Adarand*. I served as general counsel and policy director of the Senate Commerce, Science, & Transportation Committee. I also now have the privilege of serving on the FCC's Advisory Committee on Diversity and Digital Empowerment under the leadership of Chairman Ajit Pai.

African Americans represent 13.4% of the U.S. population, according to the most recent census data. We are also major consumers of media. According to Nielsen, African-Americans spent more than 50 hours a week watching live and time-shifted television in the first quarter 2019, over 10 hours more per week than the total population. Nielsen executive Cheryl Grace explained: "It doesn't matter how many other streaming services we have access to, traditional television viewing is still number one with the African-American population ... What that looks like is 91% of [ ] African-American[s] can be reached weekly via television primarily through what we're watching in real time and what we save on our recording devices."

However, while African Americans are major consumers of media, we are woefully underrepresented as employees in the industry and owners of media businesses, particularly in those businesses that require FCC licenses. In a recent publication, National Urban League President and CEO Marc Morial and FCC Commissioner Jessica Rosenworcel highlighted the following statistics: "Women own just 7 percent of commercial television stations and people of color own only 3 percent of these stations ... What's worse, the number of stations owned by

people of color may be at risk for falling even lower... [P]eople of color serv[e] as only one-in-ten television station general managers.” According to data from the National Association of Black Owned Broadcasters, African Americans own 180 of 11,365 (0.15%) full power commercial radio stations in the United States. African Americans own 14 out of 1,374 (1.0%) full power commercial TV stations in the United States. The owners of these television stations would fit in the 5 seats at this witness table.

The staggering lack of employment and ownership opportunities for African Americans in the media industry is hardly a new issue. In the late 1960s, following the violent uprisings throughout the country ignited by the assassination of Dr. Martin Luther King, President Johnson assembled a Commission to examine the causes of the uprisings and explore solutions. Media was identified as an important source of information, entertainment, and, potentially, a healing force. One of the most significant recommendations to emerge from the report was the integration of African-Americans “into all aspects of televised presentations.” This reflected the fact that African Americans did not see themselves portrayed in the media in a positive way and did not see proper coverage of our issues or balanced perspectives in news and opinion coverage. Media, you must understand, is both the collective mirror through which we see ourselves, and how we are seen.

The tax certificate program that we will hear much about today was adopted during the chairmanship of FCC Chairman Charlie Ferris and had strong support from Commissioner Ty Brown. At the time the program was created, it was believed to be an important but modest proposal to address broadcast and media ownership that reflected practically no women and minorities. Regrettably, The policy was eliminated in 1995 through an appropriations rider and has been the subject of calls to reinstate the programs in years since. This program has always had bipartisan support, and has enjoyed the support of FCC Chairmen Dick Wiley and Michael Powell, as well as the late Senator John McCain, who introduced legislation in the late 1990s and early 2000s to reinstate the policy consistent with Supreme Court precedent.

With respect to tax certificates, this has always been a bipartisan idea. It’s time for Congress to act. Congressman Butterfield’s bill is ready to go. Tax certificates recognize realities of the modern media marketplace and could give new players an opportunity to get into the game.

Finally, any legislation that examines data around ownership and employment represents a sound basis for policy making. Famed American management guru

Peter Drucker once memorialized the expression: “you can't manage what you can't measure.” To that end, legislation sponsored by Representatives Clarke and Long represents a common-sense approach for any diversity legislation or policies. With respect to EEO data, we have not collected nor made available the data for nearly 20 years. We can't afford to keep these blinders on.

While we will spend considerable time speaking today about legislative initiatives, the National Urban League and some of our civil rights partners have engaged directly with media and communications companies like Comcast/NBC Universal, Charter, and T-Mobile to develop diversity and inclusion plans that represent commitments by these companies to improve the racial diversity in the board of directors, c-suites, staff, procurement, and community investment. These companies have agreed to work with us not because diversity is a feel-good value. They have agreed to work with us because diversity is a business imperative. Companies that figure this out, will have the opportunity to produce compelling content that shows the breadth and beauty of our great country.

Thank you for the opportunity to present our views.