



Minority Media & Telecom Council

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MMTC Annual Report

January – December 2009

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What MMTC Does

MMTC is a national not-for-profit organization dedicated to promoting and preserving equal opportunity and civil rights in the mass media and telecommunications industries. We are the leading advocate for minority participation in broadcasting, cable, wireline, wireless and satellite industries. We seek to preserve and expand minority ownership and equal employment opportunity in these industries.

MMTC was founded in 1986 to provide *pro bono* legal and research support to the national civil rights community. We have represented 72 civil rights and professional organizations in a variety of proceedings before the FCC and appellate courts, including the Black College Communications Association, the Spanish Broadcasters Association, the League of United Latin American Citizens, the NAACP, the National Association of Black Owned Broadcasters, the National Association of Black Telecom Professionals, the National Council of Churches, the National Council of La Raza, the National Urban League, and the Women’s Institute for Freedom of the Press.

Key Achievements in 2009

Media and Telecom

- We petitioned the FCC to extend the advertising nondiscrimination rule to all platforms, including cable and broadband.
- We filed the MMTC Radio Rescue Petition: seventeen proposals to revise outdated and ineffective FCC engineering rules. The proposals would promote diversity, localism, and competition in the broadcast industry generally while bolstering minority and women broadcasters and helping to remedy the present effects of past discriminatory policies.

- We engaged in advocacy efforts against performance royalty legislation, and estimated its impact as sufficient to drive a third of minority broadcasters into bankruptcy.
- We urged the Commission to reform bidding practices and increase discounts to new entrants in order to restore opportunities for minorities in spectrum auctions.
- We urged President Obama to aggressively renew efforts to promote diversity in federal contracting, advertising, emergency services, and education.
- We produced an extensive list of legislative recommendations on advancing diversity in the media and telecommunications industries, including restoration of the tax certificate policy, relaxation of the localism and foreign ownership sections of the Communications Act to promote access to capital; an amendment to the FTC Act to prohibit racial discrimination in advertising placement and terms, and comprehensive oversight of the FCC and Executive Branch to ensure civil rights objectives are achieved.
- We collaborated with Professors Cathy Sandoval and Allen Hammond of the Santa Clara University School of Law in Minority Commercial Radio Ownership (October 2009), documenting a 9% steady decline in minority radio ownership since 2007.

Broadband Entrepreneurship

- We spearheaded the formation of the Broadband Opportunity Coalition (BBOC), a group of six of the nation's leading civil rights organizations that addresses broadband literacy, entrepreneurship and adoption, and served as its General Counsel.
- As part of the National Broadband Plan proceedings, we successfully urged the Commission to conduct staff workshops and broadband field hearings focused largely on the issue of minority entrepreneurship. In several sets of comments, staff workshops, and field hearings, we sought high priority for service for Tribal Lands and communities affected by credit redlining and other forms of discrimination, ensuring attractive and affordable service plans and equipment, and providing significant opportunities for minority businesses to participate in the execution of the National Broadband Plan.
- We united 35 national organizations and 13 MBEs, the largest civil rights coalition ever assembled in a telecommunications policy proceeding, to urge the Commerce and Agriculture Departments to use the \$7.2 billion in broadband stimulus funds to promote service to people of color through opportunities for minority business enterprises.
- We developed "Best Practices for Engaging Minority Business Entities" for NTIA and RUS to use throughout the stimulus grant process. The best practices are modeled after the Maryland and California Public Service Commission's memoranda of understanding framework for diverse supplier programs. We also published a list of minority broadband subcontractors, encouraging companies and municipalities filing applications for broadband deployment, computer centers, adoption, and mapping to consider these companies as subcontractors or partners.

Broadcast Station Sales, Acquisitions, and Training

MMTC Media Brokers is the only not-for-profit, full service media brokerage in the United States dedicated to increasing minority ownership of telecommunications facilities. Since 1997, MMTC has represented a variety of buyers and sellers of communications facilities. MMTC Media Brokers is the 15th largest of the nation's 60 media brokerages, having participated in transactions valued at nearly \$1.7 billion.

In January 2009, MMTC acquired its first radio station – WLCC(AM), Tampa, which was donated to MMTC by Adam Lindemann. Clear Channel Communications has announced the donation of four more radio stations to MMTC, which will use all of the stations for training of entrepreneurs, managers, and sales executives.

Fellowship Programs

Founded in 1997 and named after the United Church of Christ attorney who pioneered civil rights practice before the FCC, the Earle K. Moore Fellowship Program prepares lawyers and law students for careers in communications law. In December 2006, MMTC created the John W. Jones Fellowship Program, named after the late General Counsel of Radio One, Inc., who devoted his life to minority media entrepreneurship.

Annual Access to Capital Conference

In July 2009, we convened our seventh annual MMTC Access to Capital and Telecom Policy Conference. The Conference has become the largest minority media and telecom financial forum in the nation, attracting about 350 entrepreneurs, bankers and investors, as well as legislators and FCC commissioners.

Honoring Those Who Serve

Every year since 1997, MMTC has inducted distinguished industry and public interest leaders into the MMTC Hall of Fame. The Hall of Fame inductees for 2009 were Bruce Chatman, Adam Lindemann, Jose R. Mas, Joseph Waz, and Lauren Williams. In addition, MMTC conferred its Extraordinary Service Award on its Section 307(b) Task Force: Parul Desai, Erin Dozier, Scott Goodwin, Frank Jazzo, Mark Lipp, Phil Marchesiello, Frank McCoy, Jack Mullaney, David O'Neil, Benjamin Perez, Julian Shepard, Melodie Virtue, Howard Weiss, and Scott Woodworth; a Distinguished *Pro Bono* Award on Drinker Biddle & Reath LLP; and its Excellence in Financial Services Award to Opportunity Capital Partners. MMTC presented its highest honor, the Everett C. Parker Lifetime Achievement Award, to FCC Commissioner Michael J. Copps.

How MMTC is Governed

MMTC is nonpartisan and not-for-profit, having been organized under IRS Section 501(c)(3). It is governed by a 17-member Board of Directors, which receives policy advice from a 30-member Board of Advisors. The Board of Directors is:

- Henry M. Rivera, Chair
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- Erwin Krasnow, Vice Chair
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MMTC Operations

MMTC operates cost-effectively from an inexpensive uptown Washington, D.C. office. Our small staff in 2009 relied heavily on volunteers and pro bono counsel. We do not accept support from discriminators and others who would exploit our constituency. MMTC has remained neutral in the epic telecom lobbying battles over issues that have little to do with diversity and minority media ownership. Our eyes focus always and entirely on civil rights.

MMTC's President and Executive Director is David Honig, a communications and civil rights attorney who has practiced before the FCC and the federal courts since 1983, and has written extensively on minorities in the media and on the digital divide. An NAACP participating attorney, Mr. Honig presently serves pro bono as Special Counsel for Civil Rights for the Florida NAACP.

We periodically convene some of the most creative people in the industry to provide us with long term, visionary advice on communications policy issues. Our 80-member "MMTC Best Minds" Policy Committee meets every month to consider long-term issues in communications policy.

Our website – www.mmtconline.org – offers thorough, one-stop access to information about all aspects of civil rights in the media and telecom industries, including a comprehensive library of MMTC's pleadings, briefs, research studies and guidebooks.

Financial Statements

MMTC's audited financial statements and IRS Form 990 are available upon request.

MMTC Welcomes Your Membership and Support

Your support makes it possible for MMTC to serve as an advocate for diversity, inclusion, and equal opportunity in the nation's media and telecommunications industries. All contributions are tax-deductible. MMTC membership is open to individuals, businesses, and nonprofit organizations. A membership application may be downloaded from <http://www.mmtconline.org/memberships>.

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