

PEACOCK ON GRILL

Solons hammer Comcast on diversity

By **TED JOHNSON**

By the end of Monday's four-hour Los Angeles field hearing on Comcast's proposed combination with NBC Universal, one congressman took to comparing the exercise to an impressionistic painting.

In the gray, fluorescent-lit confines at the California Science Center on Monday, no one was saying that Hollywood or the media overall was doing that great of a job on media diversity; but there was disagreement as to the extent to which the two companies have made progress and if their plans going forward were meaningful.

The conventional wisdom in Washington continues to be that Comcast's combination with NBC Universal will eventually get the greenlight, so the hearing before five members of the House Judiciary Committee was less about blocking the deal than making sure that it has adequate



Rep. Maxine Waters, left, and Rep. John Conyers, listen to testimony during the proposed Comcast-NBC U merger hearing in Los Angeles on Monday.

conditions placed upon it, underscored when one critic who testified cited the BP oil spill as an example of what happens with the safeguards are not stringent enough.

As such, Monday's marathon hearing was an opportunity for watchdog groups and public interest orgs to express complaints

See NBC U page 23

NBC U

Continued from page 1

about the dearth of minority themed programming on Comcast's cable systems and NBC's primetime schedule, and to air frustration at the lack of opportunities for minorities in the media in general.

"If Comcast wants our support for the merger, it must agree to conditions," said Alex Nogales, president of the National Hispanic Media Coalition. He added that the coalition is part of a team of six Latino orgs negotiating a memorandum of understanding with Comcast for diversity initiatives, and that they insist on having "verifiable, enforceable data" in a wide range of areas such as employment and corporate governance.

The transaction has triggered a flurry of lobbying in Washington among supporters and critics. Among the recent celebrity figures to weigh in: Magic Johnson, writing to lawmakers praising NBC's diversity initiatives and urging support for the deal.

The atmosphere at the hearing was far different outside the august confines of the Capitol. Time limits were rarely enforced, applause was common, and House Judiciary Committee chairman John Conyers (D-Mich.) even received a standing ovation. At one point, the hearing briefly took on the characteristics of a pitch session, as Rep. Maxine Waters (D-Calif.), after learning that NBC's "The Event" was still considering writing-producing slots, tried to field prospects from 150 or so in the audience.

In advance of the hearing, Comcast and NBC U unveiled a series of new commitments as part of the deal. Among other things is a pledge that three of six independently owned and operated cable channels it plans to add over the next three years will have substan-



NBC U diversity exec veep Paula Madison speaks at the hearing.

Committee members, seated on a riser in the makeshift hearing room.

Paula Madison, NBC U's executive vice president of diversity, defended the new pledges, and said that it also had to be compared to the industry as a whole. "No one else has made this kind of commitment," she said.

Even Washington acknowledges that it is likely the deal will go through. His org is seeking an FCC mandate that Comcast allocate a minimum of 25 of its channels to African American-owned media companies, and that NBC program four of its primetime hours to African American-owned media.

But his most biting comments were directed at Comcast's progress in diversity so far, which he said was dismal enough to call for a boycott. He cited a lack of minority channels on its systems, which is most pronounced in urban areas like Detroit and Washington D.C., where blacks make up 50% or more of the population.

"African Americans are no longer interested in living on the

meet and discuss the proposed joint venture with many members of Congress and other leaders," the company said. "We have repeatedly tried to understand Congresswoman Waters' concerns so that we can address them.")

Comcast and NBC Universal have seen the approval process drag out since the merger agreement was reached on Dec. 3, and they face even more hearings: The FCC will conduct one in Chicago on July 13. Conyers said that he planned at least two more field hearings, including one in New York. Approval (or disapproval) of the merger will come from the Justice Department's Antitrust Division and the FCC, but Conyers and other committee members say they plan to weigh in with recommendations.

The skepticism of Comcast and NBC U was challenged by a number of minority executives who testified that, at various points, the companies have provided opportunities where others have not. Among them were Radio One CEO Alfred C. Liggins, who is in partnership with Comcast in the African American channel TV One, and Will Griffin, president of Hip Hop on Demand, which has placement on Comcast systems.

"Despite the testimony, (Comcast) has the best infrastructure of inclusion to build upon of all the media companies," Griffin said.

He and others noted that the problem is that advertisers are unwilling to allocate more to minority marketing budgets — but that is an industrywide issue or a problem of Madison Avenue.

And while there was many a reference to the disappearance of African American themed shows like "Girlfriends" and "Moesha" with the merger of UPN and the WB or even mass appeal sitcoms like "The Cosby Show," there was disagreement as to whether the Comcast and NBC U transaction could fur-

In advance of the hearing, Comcast and NBC U unveiled a series of new commitments as part of the deal. Among other things is a pledge that three of six independently owned and operated cable channels it plans to add over the next three years will have substantial minority ownership.

The new pledges struck Stanley E. Washington, president and CEO of the National Coalition of African American Owned Media, which opposes the merger, as "not enough."

"It's crumbs and they know it is crumbs," he told the five Judiciary



Alex Nogales, National Hispanic Media Coalition, makes a point.

for a boycott. He cited a lack of minority channels on its systems, which is most pronounced in urban areas like Detroit and Washington D.C., where blacks make up 50% or more of the population.

"African Americans are no longer interested in living on the Comcast plantation," he said.

Waters spoke of how the proposed transaction was linked to the greater question of the "systemic exclusion" of minorities across many industries, including media and finance.

She had previously called for the FCC to extend its comment period on the transaction, which it did. In one of her more provocative points, she said that after she sent the FCC letter, a Comcast rep contacted her and asked, "What do you want?" After she talked of boosting the role of minorities in the media, she said the Comcast rep then said, "No, I am talking about what do you want."

"This is not about taking care of me or taking care of us," she said. "This is about generations and generations to come."

After the hearing, she declined to name the exec, saying that it was "not useful to expose that at this time. What is useful is to place transparency on this merger." (Comcast called Waters' insinuation "completely untrue" in a statement issued after the hearing. "We

reference to the disappearance of African American themed shows like "Girlfriends" and "Moesha" with the merger of UPN and the WB or even mass appeal sitcoms like "The Cosby Show," there was disagreement as to whether the Comcast and NBC U transaction could further diminish such programming or represent a new opportunity.

Producer Suzanne de Passe said that the problem continues to be that African American executives "never had greenlight power at a network or a studio."

She didn't say she was against the deal — but called on the two companies to take steps to make sure that minority execs obtain that decision-making authority. "Simply said, we need greenlight power and the power to say 'Yes,'" she said.

Waters underscored that point as she went through NBC's new fall slate and, show by show, asked executives how many minorities were represented in the cast (a handful of leads, but still in progress), among the executive producers and co-executive producers (seven) and showrunners (none).

The queries inspired curiosity over another new show on the lineup, albeit unrelated to the questions at hand. Rep. Steve Cohen (D-Tenn.) wondered "What is 'Friends With Benefits' about?" After laughter, an NBC executive responded, "It is about what it sounds like."