

**SEPARATE STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

Re: Clear Channel Broadcasting Licenses, Inc., Licensee of Station WPLA(FM), Callahan, Florida; WCKT(FM), Port Charlotte, Florida (Formerly Station WRLR(FM)); Citicasters Licenses, L.P., Licensee of Station WXTB(FM), Clearwater, Florida; Capstar TX Limited Partnership, Licensee of Station WRLX(FM), West Palm Beach, Florida.

Seven broadcasts, twenty-six indecency violations, four public file violations and fines equaling \$755,000. By today's action, we provide yet another example of this Commission's commitment to enforce its rules and regulations—especially as it relates to indecent programming engulfing our broadcast airwaves.

As the Commission with the strongest enforcement record in decades, it should come as little surprise that this Commission's indecency enforcement has dwarfed its predecessors. I am proud of the fact that over the past three years, we have proposed nearly twice the dollar amount of indecency fines than the previous two Commissions combined (over seven years) and ten times the amount of fines proposed by the last Commission.

Now is not, however, a time to rest on our laurels and no broadcaster should believe that we will. Indeed, due to the leadership on this issue from Commissioner Martin, the Commission will soon begin considering fines for each separate utterance found indecent in a broadcast. In addition, we will continue to look to Congress to dramatically increase the enforcement penalties available to us to prosecute clear indecency violations. I applaud Chairman Upton, Chairman Tauzin, Congressmen Dingell and Markey, Chairman McCain, Senator Hollings and the many others on both sides of the aisle in Congress for providing vital leadership on this issue.

As the Commission continues the challenging task of balancing the protections of the First Amendment with the need to protect our young, these increased enforcement actions will allow the Commission to turn what is now a "cost of doing business" into a significant "cost for doing indecent business."

