

**CONCURRING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: WQAM License Limited Partnership, Licensee of Station WQAM(AM), Miami, FL, Notice of Apparent Liability for Forfeiture

I concur in the decision to find these broadcasts indecent in violation of the statute. I note that the broadcaster in this instance claims that it has neither a tape nor a transcript and that, without such a record, the Commission cannot determine if the material violates the statute. Many broadcasters have argued that the Commission's proposal to require broadcasters to keep a tape or transcript of what they air is unnecessary, yet this broadcaster claims that such a record is necessary for a finding of indecency. In this instance, the complainant was able to provide a significant excerpt and I believe a case could be made that there were separate indecent utterances within these broadcasts.