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Editor's Note

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EDITOR'S NOTE

Welcome to the final issue of Volume 51 of the *Federal Communications Law Journal*.

With this issue, the *Journal* is pleased to provide a forum for the critical debate surrounding minority media ownership. Many of the works presented herein were initially part of the July 1998 conference on New Approaches to Minority Media Ownership sponsored by the Columbia Institute for Tele-Information at Columbia University, New York, New York. Special thanks to Eli Noam, Allen Hammond, and Caterina Alvarez for their work on the conference and assistance with this issue.

The issue opens with an introductory note by FCC Chairman William Kennard, which presents his views on the topic of minority media ownership. Peter Chinloy follows with a piece on equity pooling as it relates to media ownership. Marcelino Ford-Livene then addresses ten challenges facing minority-owned new media ventures. Vance Fried addresses the importance of private equity financing for all sizes and types of media companies. Allen Hammond surveys the relationship between minority ownership and broadcast diversity in light of the Supreme Court's decision in *Metro Broadcasting*.

Thomas Hazlett and Babette Boliek then discuss the use of designated entity preferences in the assignment of wireless licenses. Erwin Krasnow and Lisa Fowlkes follow with a history of the Minority Tax Certificate Program and suggest a new tax certificate program, which would address congressional concerns. Lloyd Kurtz presents a social investor's perspective on the availability of capital sources for minority media. Kofi Ofori and Mark Lloyd end the discussion of minority media ownership articulating the merits of the tax certificate as a public policy tool.

In the first Article, Angela Campbell surveys self-regulation and the media. Applying a five-factor test to digital television public interest responsibilities and privacy on the Internet, the Article concludes that self-regulation is not likely to be successful. In the last Article, John Quale and Brian Weimer advise that communications practitioners should only be asked to opine with respect to matters for which they have a reliable source

of factual information and for which they are the least-cost source of the opinion sought. In an Essay, Henry Perritt and Margaret Stewart analyze the extraterritorial effect of the European Data Privacy Directive.

In the first Note, Christian Beams surveys the recently enacted Digital Millennium Copyright Act, lauding the congressional action, which provides an exemption to the notion of vicarious liability for online service providers. Brian Fritts then analyzes FCC auction history, the FCC's response to the original C block auctions, how to fix these problems within the given congressional and FCC framework, and argues that the best solution would be to treat spectrum like private property. I conclude Issue 3 with a discussion of the issues surrounding the siting of wireless communications facilities. The Note finds the protections afforded providers by the Telecommunications Act of 1996 and education and cooperation between service providers and local zoning authorities are both necessary to realize the benefits associated with a fully deployed wireless infrastructure.

The Editorial Board of Volume 51 wishes to thank the Federal Communications Bar Association's Editorial Advisory Board for its guidance throughout the year. We also extend special thanks to Fred H. Cate, our faculty advisor, for his leadership and insight. I would also like to thank the entire journal staff for their contributions to Volume 51, and to recognize the extraordinary contributions of our Production Editor, Jennifer Thomas, and our Senior Managing Editor, Aaron Goldberger.

The Editorial Board would like to thank all of the authors for their contributions. We are committed to providing our readers with broad coverage of pressing and important communications issues, and we sincerely appreciate the continued support of contributors and readers alike. As always, we actively welcome your comments and submissions concerning any issues of interest to the communications bar. The *Journal* can be contacted at Indiana University School of Law—Bloomington, 211 South Indiana Avenue, Bloomington, Indiana 47405; telephone (812) 855-5952; facsimile (812) 855-0555; and e-mail <fclj@law.indiana.edu>.

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