

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN
APPROVING IN PART AND DISSENTING IN PART**

Re: Clear Channel Communications, Inc.

I support much of today's action. By admitting that certain broadcasts violated our indecency rules, by making a sizable contribution to the U.S. Treasury, and by entering into a company-wide compliance plan involving training, internal investigations and suspensions, and program delays, Clear Channel has shown that it understands its responsibility to prevent the broadcast of indecent material on its stations. Faithful adherence to the compliance plan should obviate the need for Commission enforcement in this area.

Yet before the Commission enters into a settlement that seeks to resolve all pending matters involving a company's indecency compliance, it should have conducted at least preliminary investigations of those matters to understand the full extent of the possible violations and the suitability of the remedy. With respect to many of the pending Clear Channel matters before the Commission, the staff has indeed investigated the nature of the complaint and in some cases sent out inquiry letters. Yet some of the pending complaints have not even been investigated. It's no threat to the First Amendment to, at a minimum, do some measure of investigation when we receive public complaints seeking to enforce a law that Congress tasked to us and that the courts have upheld under the First Amendment. With respect to including these pending but uninvestigated complaints within the scope of this decree, I dissent in part.