

## DEAD MEN TALKING FREE SPEECH

A Democratic Palm Beach prosecutor is after conservative talk show host Rush Limbaugh. A Republican chairman of the Federal Communications Commission is after shock jock Howard Stern.

Limbaugh, who is accused of taking illicit prescription medications, without being indicted, is under a Florida state investigation. His medical records have been subpoenaed by the investigators.

Democrats revelled in the personal problems of Limbaugh. Limbaugh is the conservative think tank for Republican politics. The Democrats underestimated his influence during the last elections. They attack him with the non-filed criminal charge in an effort to discredit, disable or sidetrack his conservative views to his audience.

The same people argued that the personal problems of Bill Clinton were irrelevant in his public service do not give Limbaugh the same pass. The attacks were

spearheaded to minimize Limbaugh's influence during the 2004 Presidential election.

The Democratic platform is merely Anti-Bush at this point in time. John Kerry lacks any clear message. His stump speech merely droans that he'd "do better" than Bush. The old liberal wing of the party really hates the current Bush. In Chicago, Kerry was overheard ripping the White House as the worst crooks and liars he had ever seen. He was stirring up the "base" with the national media's presumed blue collar anger against the President.

When Janet Jackson exposed her breast during the Super Bowl halftime, FCC Chairman Michael Powell blew a gasket. He has been on a crusade against "indecentcy." His target is not the violent or sexual graphic television shows, but radio personalities, the "shock jocks," who have been dealing with loaded subject matter for decades.

For the first two weeks in March, Stern

*(cont. on page 2)*



## AIR AMERICA GROUNDS SELF

CHICAGO--(4/04) It only took two weeks for the Liberal Democratic Business Plan in the Real World to come to a crashing halt.

The Liberal answer to the Rush Limbaugh conservative radio movement was taken off the air in Chicago and Los Angeles because it was alleged that the radio network's check bounced.

"Air America" was launched the Democrats to counter-program against the Limbaughs, Hannities and FoxNews outlets. But since this was not an unlimited public funded outlet (like NPR), the managers went hellfire into the radio business without enough capital (i.e. banked cash) to survive two weeks.

It usually takes a

restaurant a year to fail. This new radio network has probably set a media record for failure.

There are several ironies apparent from this crash. The illusory phrase "Air America" harks to the fact that the American airline industry is on the verge of bankruptcy. It is also ironic that the term also is known as the CIA's covert airline/cover operation in Vietnam. Who would have thought the anti-War Dems would name themselves after a CIA operation? Did not someone think that through?

Apparently not. The original plan was to own the stations; but that is extremely expensive. It was then rent local airtime like infomercials. But that costs real money.



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## DEAD MEN TALKING

has described himself as a Dead Man Walking. Congress was in the midst of increasing the FCC indecency fines from \$27,500 per violation to \$500,000. It is punitive administrative hammer that the FCC is now swinging toward broadcasters.

Stern's employer, Infinity Broadcasting, can afford to pay a huge fine, but it cannot afford to lose its broadcast licenses. The whole subject matter of "community standards" and broadcast taste now resides in the minds of 5 FCC commissioners. Stern believes cannot challenge any FCC action in the courts because the FCC could hinder, delay or interfere with Infinity's licenses.

He predicts that the FCC will levy a record fine against him, and his employer will be forced to fire him.

The First Amendment protects free speech. You have the right to speak your mind. The government is not allowed to preempt your thoughts. Unpopular views are protected speech. The question of obscenity is a question of commu-

nity standards as viewed as a local court decision.

But the FCC has taken it upon itself to be the national broadcast censor. Other media companies, who consolidated licenses into an concentrated few major players, have chilled, fired or restricted their programming personalities, some under a "zero tolerance" policy. The FCC now looms as the Big Brother of Broadcasting.

Power hungry, the FCC now is seeking to regulate "cable" television. The jurisdiction of the FCC is the "public" broadcast airwaves. Cable is not on the public airwaves; it is a private transmission through wires to home customers who pay for the programs.

The FCC is also drafting rules on the conduct of the Internet. Again, the Internet is a private person to person communications protocol. It does not use the public airwaves.

But the FCC has gotten the notion that it regulations communications, it should rule over all communication mediums. This is a dangerous trend.

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Congress passed alleged Campaign Finance Reform legislation believing that the U.S. Supreme Court would rule it unconstitutional as violative of free speech. To the amazement of the public, broadcasters and legal scholars, the Supreme Court upheld the provisions that restricted money donations, types of advertising, and a speech blackout period prior to federal elections.

It is clearly a massive defeat for those in the free speech area. Political speech is one of the key issues our founders fought and died for in the Revolutionary War. The drafters of the Constitution put no restrictions on the policy of free speech.

The net effect is that the campaign reform bill further cements the power of incumbent politicians to get re-elected. Incumbents have the power of their office and news generating ability to work through any advertising and speech restrictions.

The federal government is now intruding itself as the regulator of political, informa-

tional and entertainment speech of the public.

It is ironic that Limbaugh and Stern are both targets because of their exercise of their free speech rights. Democrats want to silence Limbaugh in order to shift the debate to more leftist media opinion makers. The right wing fundamentalist Republicans want to ban Stern's sexually crude radio program.

The print media and the internet publishers have not made the connection. The majority of print publications are owned or controlled by broadcasting chains. Publicly traded company management can not afford to lose the more profitable money machines of radio-television stations because of negative press in their papers against their regulators.

This is also the problem with concentrated media ownership. The government can influence and bully the big players who control almost 50% of the information outlets in the United States. There is no diversity of ideas in a culture dominated by national media chains that are afraid of out-of-

control regulators.

America is free falling toward a moral-cultural war. Just as the Islamic factions in Iraq are at odds with each other's religious doctrine, the US is pulling itself into a bloody power grab. It is a different form of class warfare. It is the elite, career political class based in Washington D.C. seeking to control all aspects of our lives.

Think about it. Why is there any reason why the federal government needs to regulate "fast food?" Or seek legislation on baseball's testing for steroids? These are non-issues in the scope of life--- but those elite pols have nothing better to do than flex their power and clout. Power is the most addictive substance known to mankind. We are getting to a drug overdosed frenzy.

Homeland security and the War on Terror has the Republicans suspending civil rights to alleged enemy suspects. The government will protect us from future terror acts in exchange for a lessening of the Fourth Amendment rights individuals have against unwar-

ranted government intrusions. The Democrats cried foul, briefly, over the Homeland security army being massed within our borders. The Dems had the patent on "controlling" people's ambitions and goals. The party is the party of special interest entitlements. A snake oil salesman's pitch of miracle solutions in exchange for their votes and tax dollars.

The Bush administration has outspent even the Democratic machine. New entitlements and huge budget deficits by Bush has made Democrats antsy. They have to find new ways to make campaign issues to regain control and power in Washington.

To appeal to the conservative base, Republicans are marching against sin, indecency and other forms of "bad speech."

The Clinton era had the arrogant theme that "we know better than you." The George W. Era has the theme that "we know better because we are at war."

Democrats and Republicans are no different; just different labels for powerbrokers.



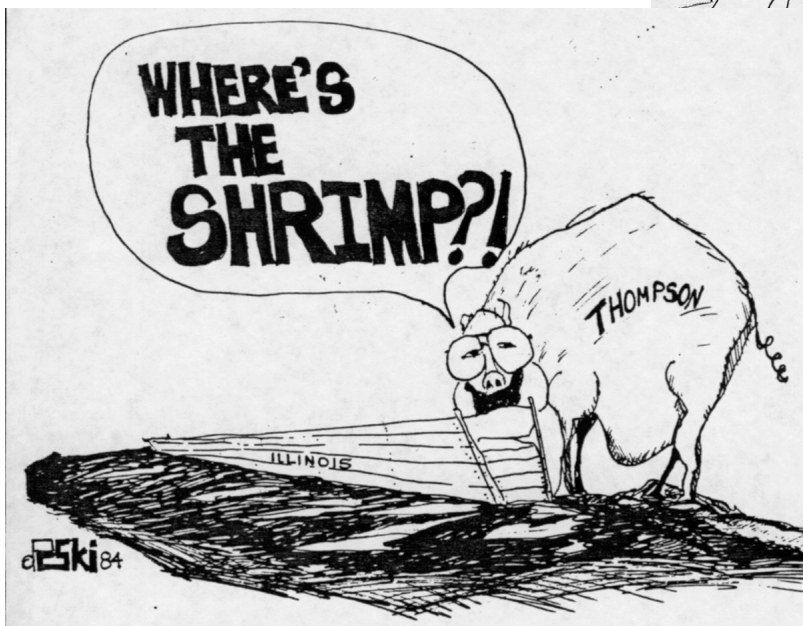
# From the Real News Archives

The more the calendar progresses forward under the guise of enlightenment, the more it is apparent that nothing really changes.

The snipes in Washington D.C. portray the current President like he is Chance from the Peter Sellers' movie, Being There. The same barbs were thrown at Ronald Reagan.

The Democrats have woken up in their motel room to find that they have made their bed with John Kerry, a liberal Massachusetts version of the stereotypical career politician. The Dems hope for another Bush-Clinton election (with Bill's old cronies pushing their way into the Kerry camp). It may wind up like the other Massachusetts campaign, the ill-fated Michael Dukakis disaster. It was tough to be run over by a tank, especially when you are sitting inside one, but Mike did. But the overtaxed, underemployed middle class worker has to realize at some time that a Bush-Kerry election is no different than the two-headed monster of Bush-Clinton.

Then there is the fact of life that politicians never leave the stage. They come back with cameos. Like ex-Illinois governor James Thompson sitting on the no-real-purpose except political soundbite factory 9/11 Commission.



Subj: A Reading from the Old Testament  
Date: Thursday, August 9, 2001 6:39:01 AM

A Letter from Paul to the Bleacher Bums:

And God put upon the earth a young man named Sandberg, a midwesterner, who would remark upon the flatlands not in spite, but as an endless sea of baseball diamonds.

And God thought that was good.

And God put upon the earth a young man named Sandberg, a transplant to the midwest, who would play in the last enclosed flatland baseball diamond.

And God thought that was good.

But God also put independent thought in the minds of man. And the Devil worked his charm upon men of weak minds.

For the vast flatland diamonds were plowed and buildings put upon the plains to disrupt the endless pattern of baseball diamonds. And the man Sandberg, who played in the last enclosed diamond, could not

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win a championship.

For the Devil made the sun shine brighter and hotter upon Sandberg's men. And throughout the summer, the hopes of the people were raised, then dashed like the waters of the Lake upon the shore.

But then God created a man named Mongo from the spare parts of several other creatures.

Mongo came to the enclosed diamond to confront the Devil, and he did. And the people cheered. But the Devil's workers cast Mongo out of the hallowed house and into the street. For this House still belongs to the Devil.



## From French Whine to Iraqi Dirt

When the French read the international news with their national drink, they may be smug in the fact that they have no blood in their glasses. America's old allies decided to stay out of the action against Saddam Hussien in Iraq.

But part of the story is yet to be told. Saddam will go on state trial this year. He is a dead man walking into a jury of his former subjects. He has nothing to lose but to take down others.

He had weapons of mass destruction. But in the months between kicking out inspectors who had the lists of contraband, Saddam either shipped or buried in the sand the WMD. He made billionaires in the black markets that have traded in illegal arms and technology throughout the Mideast. It would not be surprising to find French, German or Russian equipment and technology that skirted the pre-War blockade.

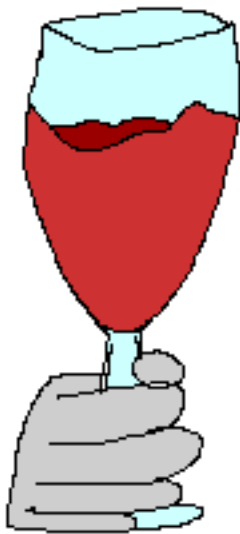
But the true test will be whether Saddam will

cut a political deal to save his own hide by naming his other sponsors, suppliers and hosts of terrorism? It would be in our national interest for such information.

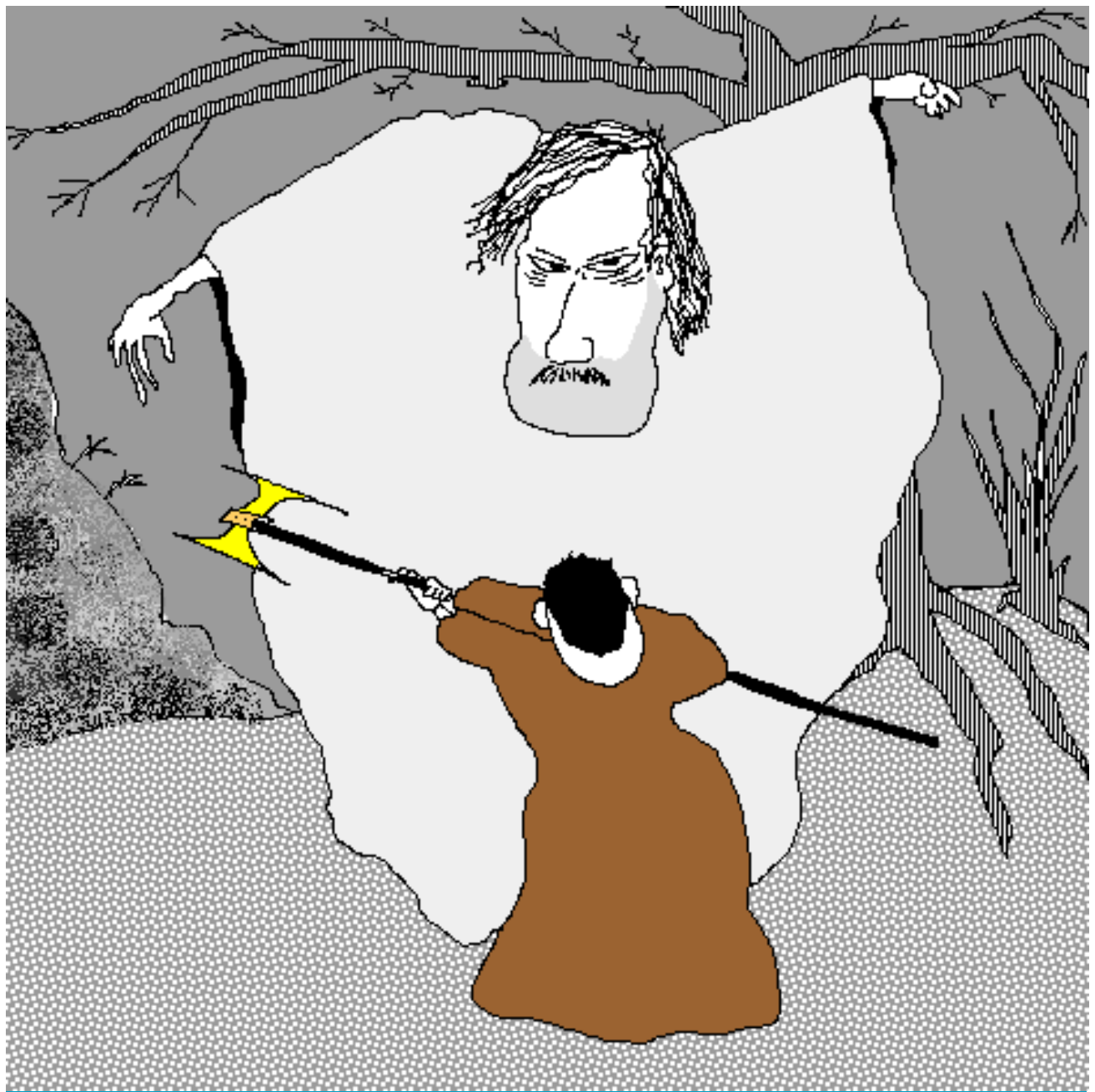
The Saddam Trial should make some people nervous. Bin Laden's attack on western oil workers in Saudi Arabia may have been a pushed

up end-game to overthrow the Saudi royal family and seize power over that country's oil reserves. That

may be the hidden agenda against the USA. The instability and bloodshed in Iraq is secondary to the main objective. Power and money. Bin Laden cannot achieve his goal of regional dominance with the US providing local and regional security from Baghdad Airport.







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## Making Waves at the Beach

The State of Hawaii has made surfing a sanctioned high school sport. One would think that it was already a sanctioned state sport since surfing was born in Hawaii, but school administrators and lawyers fear of liability kept the team boards beached.

As summer approaches, where we go to the sand to baste our limbs like turkeys in an oven. We bake our brains to the nothingness. Vegetative state is the beach mindset. It is a form of national meditation from the office paperwork grind.

Between the mosquito infested backyard barbecues to the pesky sand fleas at the beach, Americans embrace the acts of Summer with the zeal of a mountain lion grasp on the nap of its prey's neck.

The summer is the crossroads of the entire cultural obsession of the country. Charcoal flavored slabs of grilled beef which are the standard delivery device of caloric filled sauce add fat to the health. The size of the bikini, or lack thereof, heralds the state of fashion. And what is taken to the beach, whether it be a volleyball or a surf board, tells the tale of what is the latest fad. But it is the lifestyle choice of hanging out at the beach which is contraindicative of the normal operating American daily routine.

One can read a paperback or catch a few z's at home; but it is somehow more appropriate at the beach. It is acceptable.

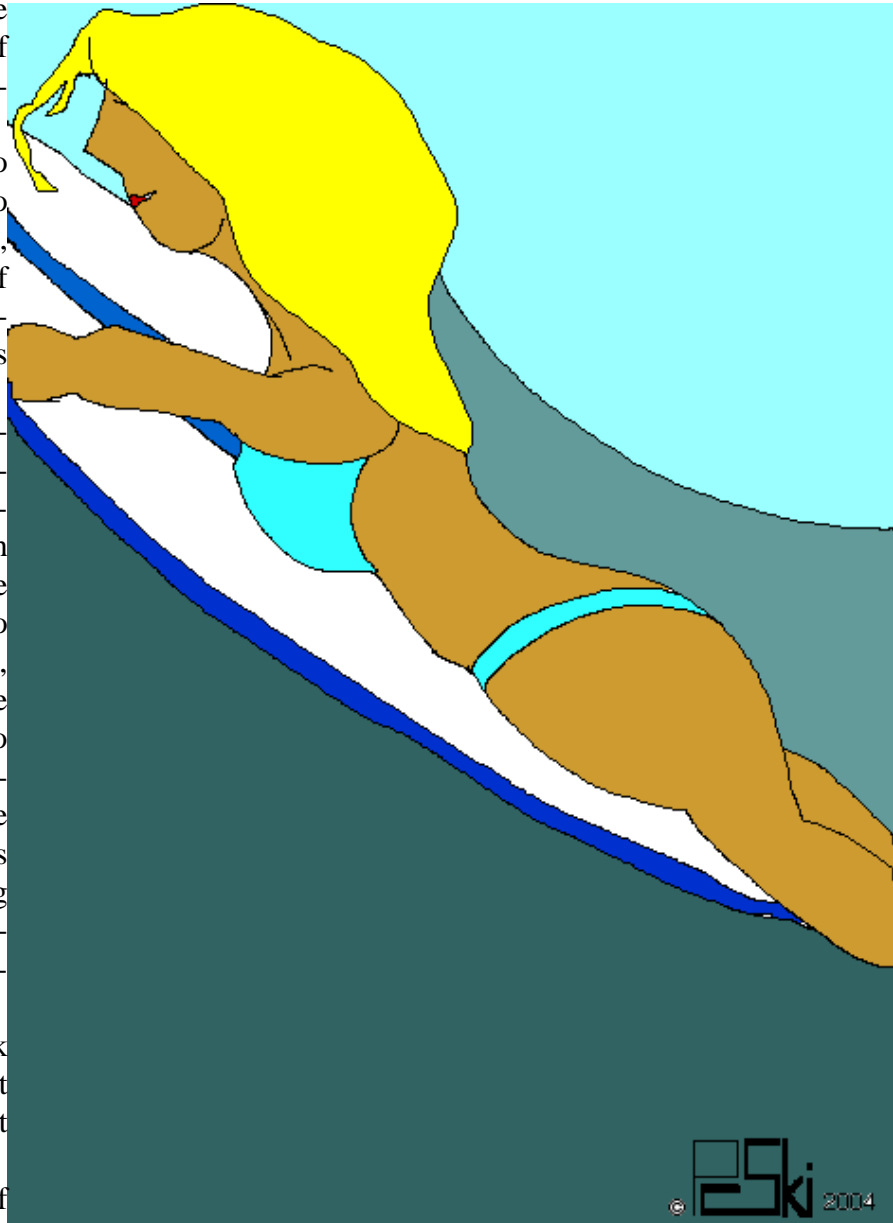
It is maybe the illusion of

change--from the roasting red sunburn to the warm lazy wake of floating in the ocean salts that is like recharging a drained battery.

There is more and more stress in an individual's life. Work, accountability, responsibility, and balancing the checkbook each week. Stress is the runaway boiler in the pit of your stomach that needs to be released

so it does not explode. Letting off steam does not mean having to have a furious or violent end.

The beach life is also a strange tribal gathering of loners who stake out their patch of sand and spend most of their time observing others observing them. Observation without recourse. Belonging without making waves.





## Franken Cents & Demurrer

Al Franken was the cornerstone host for the liberal Air America radio network. He was to be the creative counterbalance to the conservative talkers Rush Limbaugh or Bill O'Reilly. Probably, O'Reilly since the two had a nasty sparring match at a book convention and a lawsuit over Franken's book title.

But Franken and his management team failed to realize what it takes to make it in the radio business. Air America was founded like a piece of democratic entitlement legislation. They put their product on the airwaves and no one bought commercials or supported it from private sector dollars. The radio business plan was backwards. You don't start at the top; it took Limbaugh years to rise to the level of listenership.

So Air America immediately had cash flow problems. It also failed to realize that the business plan of buying time on stations in major markets (in essence no one would buy their programming from AA) costs big dollars. When the checks bounced, the network shows were quickly pulled. Radio is a cash and carry business.

Now, Franken admits that he is now an "involuntary investor" in Air America because the network cannot pay him.

He stays on because in the hearts and minds of the DNC and Democratic policywonks in the beltway, he can't fail. It shows that Democrats can't

make it in the private sector.

But the political excuses keep coming out of the woodwork. First, the failure of the network was blamed on the Republican-conservative media nexus. Second, the initial management who resigned were blamed for the failure of the network to pay its bills.

In the end, the whole situation was backasswards. A radio personality if he or she has talent would have been signed by a local station. Once that personality achieves a track record of real ratings and revenue, then a syndicator will attempt to sell the program to other stations. The other stations would buy the program.

But Air America decided to buy its own way onto the radio airwaves. The free market check and balance was to be damned. AA needed to make a splash and fast since 2004 was an election year, possibly a close election year.

With Limbaugh fighting a Florida DA, and the Bush administration bogged down in Iraqi bodybags, skit comedians like Franken should have a field day lampooning the Republican follies.

But no one is listening. No one put up the capital to succeed in a cutthroat business environment. Unrealistic expectations doomed this venture before the microphones were turned on. Air America's ship will shortly go down in flames.



### *A Letter from the Pub*

July 9-10-11 will be our radio reunion D-Day, the 25th anniversary of the WELH reunion in Kewanee, Illinois. Kewanee was once known as a boiler capital of the world, but now it is a sleepy little rural community which gets an infusion of semi-professional suburbite money every year from Eastern alumni like yours truly.

As we get older, the numbers attached to anniversaries or events begin to jump to lofty heights like Internet stocks in the 1990s. We can only hope that we age like fine wine.

All Eastern radio alums have an open invitation to stop by the Hepner farm. This year's only real agenda item is to memorialize the core Outlaw Eastern Alumni recollections and to place a good bottle of vino into storage to toast to the final reunion may years from now.

It has been 19 years since I hid a bottle of Jim Beam in a Honolulu hotel with the note "Have a drink on us, WELH" during that reunion trip.