

# Minority Media and Telecommunications Council

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March 5, 2010

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Ms. Dortch:

RE: Notice of Ex Parte Communication: Sirius XM Set Aside: MB Docket No. 07-57

This reports on two March 5, 2010 telephone calls with Commissioner Mignon Clyburn concerning the Sirius-XM minority set-aside condition. I stated that the original vote to approve the set aside in the merger was premature because it was based on outdated Adarand studies. While the Commission is completing new Adarand studies, it should encourage the company to work with HBCUs, non-English speaking organizations, and tribal organizations. None of these is defined by a racial classification. The Commission could also consider a trusteeship model while doing Adarand studies.

Sincerely,

*David Honig*

David Honig  
President and Executive Director