

**DECLARATION OF THOMAS B. HENSON, OWNER OF AMERICAN  
SPIRIT MEDIA, LLC**

I, Thomas B. Henson, hereby declare as follows:

I am the owner, president and CEO of American Spirit Media LLC, the ultimate owner of the licensee of station WXTX, (Fac. ID No. 12472), which is part of a station employment unit based in Columbus, Georgia. This Statement and relevant attachments are being submitted in response to the October 30<sup>th</sup>, 2023, letter of Elizabeth E. Goldin, Assistant Chief, Investigations & Hearings Division of the Commission's Enforcement Bureau concerning a random audit of the station's EEO compliance (the "EEO Audit Letter").

1. This SEU employs five or more full-time employees as the term is defined in the broadcast EEO rule of the Federal Communication Commission ("FCC" or the "Commission"), 47 C.F.R. § 73.2080(e)(1).
2. In response to Question 2(b)(i) of the EEO Audit Letter, the SEU's two most recent EEO Public File Reports, as described in 47 C.F.R. § 73.2080(c)(6), covering December 1st, 2021 through November 30<sup>th</sup>, 2022, and December 1st, 2022 through November 30<sup>th</sup>, 2023 are appended as **Attachment A and Attachment B.**
3. In response to Question 2(b)(ii) the web address of the station for this SEU is as follows: [www.wxtx.com](http://www.wxtx.com). A copy of the current EEO Public File Report is included on or linked to this website.
4. In response to Question 2(b)(iii) and Question 2(b)(iv) of the EEO Audit Letter, the licensee acknowledges that it is required to retain records documenting outreach to its recruitment sources used to fill its full-time positions, pursuant to 47 C.F.R. § 73.2080(c)(5)(iii) and (vi) including the recruitment reflected in the above EEO Public File Reports. This documentation is included in **Attachment 3** for EEO year 2022 and **Attachment 4** for EEO year 2023. The internal business records within these two attachments provide data concerning the (a) date of hire, (b) total number of interviewees for each vacancy and (c) referral source for each interviewee for each full-time vacancy filled during the period covered by the above EEO Public File Reports.
5. In response to Question 2(b)(v) of the EEO Audit Letter, documentation concerning the Unit's performance of recruitment initiative activity during the period covered by the above EEO Public File Reports and as described in § 73.2080(c)(2) is described below.



This SEU employs a total of nine full-time employees and the station is located in a market with a population of less than 250,000. Accordingly, the SEU is required to perform at least two points of recruitment initiative activity during each two-year period. **Attachments 5, 6, 7 and 8** substantiate the station's compliance with this mandate. These initiatives include an internship program, On Air announcements and EEO Officer training. All of these initiatives are recommended by the FCC.

6. In response to Question 2(b)(vi) of the EEO Audit Letter, the licensee affirms there is one pending complaint within the current license term. In that complaint, (1) the Claimant alleges that they were discriminated against because of their race in violation of Title VII of the Civil Rights Act of 1964, (2) the Claimant is Mercedeez Byrd, (3) the Claim was filed on July 13, 2023, (4) the Charge is pending before the EEOC, (5) the Case number 430-2023-03074, and (6) the Current Status is Pending.

7. In response to Question 2(b)(vii) and in accordance with 73.2080(b) a list of employees involved in EEO efforts at the station include the General Manager, Jacqueline Lynch and the business office assistant Nicole Bussey. Jacqueline Lynch, as the only hiring manager in this SEU, is responsible for keeping records of who was interviewed and how they were notified of the job opening, as well as responsibility of the overall success of our recruiting efforts. Our record keeping of these efforts is performed by Nicole Bussey. Nicole Bussey is responsible for the actual posting of jobs, placement of our on-air ads and recording all details of our efforts. Nicole Bussey has recently gone through an EEO training program provided by Wiley, Rein, LLP in an effort to keep her up to date with current regulations and also resources to improve our diversity in recruitment. Employees are informed of our EEO policies and programs by posters of EEO laws and practices. We have placed these posters in employee shared areas such as our entrance and breakroom.

8. In response to Question 2(b)(viii) and in accordance with 73.2080(c)(3) in relation to our efforts to analyze our EEO program the station does monitor its progress as it is a very necessary part of our success at WXTX. Reaching a diverse employment pool is our intention in all hiring activities. Because it has been such a struggle to get qualified applicants from diverse sources, this past year Jacqueline instituted an internship program which is now recruiting our 3<sup>rd</sup> such applicant from local colleges. This has been a successful outreach as candidates from local colleges learn real life experiences in the workplace as part of their secondary education readying them for a career after their schooling.

9. In response to Question 2(b)(ix) of the EEO audit letter and in accordance with section 73.2080(c)(4) this SEU strives to comply with all federal, state and/or local laws regarding pay, benefits, seniority practices, promotions, and selection techniques and tests to ensure that they provide equal opportunity and do not have a discriminatory effect. WXTX does not operate under any union agreements.

10. In response to Question 2(b)(x) this SEU is not a religious broadcaster.

11. In response to Question 3 and Question 4 this SEU does not operate under a Time Brokerage Agreement.

A handwritten signature in blue ink that reads "Thomas B. Henson". The signature is written in a cursive style with a large, decorative initial 'T'.

Thomas B. Henson