

**STATEMENT OF DAVID BANNER
BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON COMMERCE, TRADE, AND CONSUMER
PROTECTION**

September 25, 2007

Good afternoon Mr. Chairman and members of the Committee. My name is David Banner. I am an artist for SRC Recordings, a producer, and label executive. Thank you for inviting my testimony.

This dialogue was sparked by the insulting comments made by Don Imus concerning the Rutgers women's basketball team. Imus lost his job, but later, may have secured a million dollar contract with another station.

While he appears to have been rewarded, the hip hop industry is left under public scrutiny. As this "dialogue" played out in the media, the voices of the people who create hip hop and rap music were silenced. We were not invited to participate on any panels, nor given the opportunity to publicly refute any of the accusations hurled at us. While Congress lacks the power to censor, it is of the utmost importance that the people whose livelihood is at stake be made a vital part of this process.

I am from Jackson, Mississippi. Jackson is one of the most violent cities in the United States. Much like Washington, DC, Jackson stayed in the murder capital run. When I was growing up, it always ranked as one of the top ten cities for the highest number of murders per capita. Being located right below Chicago, a lot of kids got in trouble up there and were sent to Jackson by their grandparents, who were from Jackson.

The by product of this migration was violence. I was blessed to have a very strong man for a father, and a very-very strong woman for a Mother.

Honestly, rap music is what kept me out of trouble. Statistics will never show the positive side of rap because statistics don't reflect what you "don't" do...if you "don't" commit a murder or a crime. When I would feel angry and would think about getting revenge, I would listen to Tupac. His anger in a song was a replacement for my anger. I lived vicariously through his music.

Rap music is the voice of the underbelly of America. In most cases, America wants to hide the negative that it does to its people. Hip hop is the voice...and how dare America not give us the opportunity to be heard. I am one of the few artists who went to college. I still see my friends who, as college graduates, are unable to get a job. The truth is that what we do sells. Often artists try to do different types of music and their music doesn't sell. In America, the media only lifts up negativity.

People consider me a philanthropist. I give away close to a quarter of my yearly earnings to send children from impoverished neighborhoods to different cities...to Disney land. This gives them another vision. Rap music has changed my life, and the lives of those around me. It has given us the opportunity to eat. I remember sending 88 kids from the inner city on a trip. I went to the local newspaper and TV station, only to be told that the trip wasn't "newsworthy". But if I had shot somebody, it would have been all over the news. I threw the largest urban relief concert in history. That never made the front cover of a magazine. But as soon as I say something negative, rise up against my own, or become sharp at the mouth (no pun intended), I am perceived as being disrespectful to Black leaders. That negativity overshadows all of the positive things that I've done as a rap artist.

Some might argue that the content of our music serves as poison to the minds of our generation. If by some stroke of the pen Hip hop was silenced, the issues would still be present in our communities. Drugs, violence, and the criminal element were around long before hip hop existed. Our consumers come from various socioeconomic backgrounds and cultures. While many are underprivileged, a large percentage are educated professionals. The responsibility for their choices does not rest on the shoulders of hip hop.

Still others raise concerns about the youth having access to our music. Much like the ratings utilized by the Motion Picture Association of America, our music is given ratings which are displayed on the packaging. These serve to inform the public of possible adult content.

As such, the probability of "shocking" the unsuspecting consumer's sensibilities is virtually impossible. If the consumer is disinterested or offended by the content of our music, one could simply not purchase our cds. The music that is played on the radio must comply with FCC guidelines. Again, this provides a safeguard. Ultimately, the burden of monitoring the music that minors listen to rests with their parents.

Some argue that the verbiage used in our music is derogatory. During slavery, those in authority used the word "Nigger" as a means to degrade and emasculate. There was no push for censorship of the word back then.

The abuse that accompanied the label "Nigger" forced us to internalize it. This made the situation easier to digest. Our generation has since assumed ownership of the word. Now that we are capitalizing off the use of the word, why is it so important that it be censored? The intent and spirit of the word "Nigga" in rap music does not even remotely carry the same meaning nor historical intent. Attempting to censor the use of a word that merely depicts deep camaraderie is outrageous. People should focus less on the "offensive" words in our music, and more on the messages that are being conveyed.

The same respect is often not extended to Hip hop artist as to those in other arenas. Steven King and Steven Spielberg are renowned for their horrific creations. These

movies are embraced as "art". Why then is our content not merely deemed horror music? Mark Twain's literary classic Huckleberry Finn is still required reading in classrooms across the United States of America. The word "Nigger" appears in the book approximately 215 times. While some may find this offensive, the book was not banned by all school districts because of its artistic value.

The same consideration should be extended to hip hop music.

As consumers, we generally gravitate to and have a higher tolerance for things that we can relate to. As such, it is not surprising that the spirit of Hip Hop is not easily understood. In the 1971 case of Cohen vs. California, Justice Harlan noted that "one man's vulgarity is another man's lyric..." The content and verbiage illustrated in our music may be viewed as derogatory...or unnecessary...but it is a protected means of artistic expression. In 2005 Al Sharpton, who is a proponent of censorship, stated on CNN that "rappers have the right to talk about the violence they come from...if they're going to rap about it and sing about it, they have the First Amendment right." Much like imagery supplied via television, literature, and by other genres of music, we merely provide a product that appeals to our patrons.

Our troops are currently at war under the guise of liberating other countries. While here in America, our rights are being threatened daily. This is illustrated by homeland security, extensive phone tapping and ill placed attempts at censorship.

Traditionally multi-billion dollar industries have thrived on the premise of violence, sexuality, and derogatory content. This capitalistic trend was not created nor introduced by Hip Hop. It's been here. It's the American way.

I can admit that there are some problems in hip hop. But it is only a reflection of what is taking place in our society. Hip Hop is sick because America is sick.

Thank you.