



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC ADOPTS ORDER TO PROMOTE NATIVE AMERICAN RADIO AND STREAMLINE BROADCAST RADIO ASSIGNMENT AND ALLOTMENT PROCEDURES

Washington, D.C.: The Federal Communications Commission adopted a First Report and Order that gives tribes a priority to obtain broadcast radio licenses in tribal communities. The Order provides an opportunity for tribes to establish new service specifically designed to offer programming that meets the needs of tribal citizens. The Order also fosters localism and diversity, key media policy goals of the Commission and the Congress.

“The Commission is proud to adopt new rules that will help tribes expand their unique radio programming, a service that focuses on the promotion of tribal culture, language, and historic preservation,” said FCC Chairman Julius Genachowski.

Although well over a million Native Americans and Alaska Natives live on over 55 million acres of tribal lands across the United States, only 41 radio stations are currently licensed to native tribes. To address this imbalance, the First Report and Order establishes the Tribal Priority under the Section 307(b) processing rules. The Tribal Priority gives precedence to federally recognized Native American Tribes and Alaska Native Villages, or companies controlled by tribes that want to establish new radio stations designed to serve communities located on tribal lands.

In addition, the First Report and Order made improvements to the Commission’s radio application and assignment procedures, assisting qualified applicants to more rapidly introduce new radio service to the public. These improvements include:

- Prohibiting an AM applicant that obtains a construction permit through a dispositive Section 307(b) preference from downgrading the service level that led to the dispositive preference;
- Requiring technical proposals for new or major change AM facilities filed with Form 175 applications to meet certain minimum technical standards to be eligible for further auction processing; and
- Giving the Media and Wireless Telecommunications Bureaus authority to cap AM filing window applications.

The Commission concurrently adopted a Further Notice of Proposed Rulemaking, seeking comment on: (1) whether the FCC should help applicants acquire new commercial radio stations by establishing an auction bidding credit for federally recognized Native American tribes and Alaska Native Villages; and (2) whether and how to extend the Tribal Priority to tribes that do not possess tribal lands. Comment deadlines for these proposals will be announced in a subsequent Public Notice.

Action by the Commission January 28, 2010, by First Report and Order and Further Notice of Proposed Rulemaking (FCC 10-24). Commissioners Copps, McDowell and Clyburn issuing separate statements. MB Docket No. 09-52.

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