

Key Initiatives for the Future of Community Broadcasters

**Prepared Remarks of Commissioner Mignon L. Clyburn
The 35th Annual Community Radio Conference
St. Paul, Minnesota
June 10, 2010**

Good morning. Thank you for inviting me to the Twin Cities for your 35th Annual Community Radio Conference. I appreciate the hospitality you all have shown me over the past couple of days. My trip has been extremely educational.

While this is certainly overdue, I want to take this opportunity to congratulate Maxie Jackson on his appointment as the new President and CEO of NFCB. I have enjoyed meeting you, Maxie, and I look forward to working with you in the weeks and months ahead. You have an incredibly important mission, and I am confident you are up to the task.

I also want to recognize Carol Pierson for her incredible service to community broadcasters, and to congratulate her on her new (and more relaxing) position. I had the opportunity to meet with Carol last Fall just after she announced that she retiring after over a decade leading this group. It was clear from our lone meeting that Carol's passion and leadership on the issues about which you all deeply care was exemplary.

Community radio is an essential piece of the American experience. The work you do helps inform and educate communities, entertain them, and enable them to feel more connected to the world around them. You are also an example of what a diverse broadcast world could and should actually look like. In many respects, community radio presents a model for what could be; how Americans can get local news and information from a diverse array of sources and from home-grown talent and ownership.

It is true that, as a "regulator", I am relatively new to radio – and broadcasting in general. Nevertheless, I have a long history with radio. Indeed – and some of you may have heard me say this before – if not for my prior experience with radio, I can safely say there is no way I would ever have ended up as a Commissioner at the FCC.

As a younger – and perhaps less gray – woman, I was invited by a friend to come on his radio program from time-to-time to share my thoughts on issues affecting our community. That's where I honed my skills. I learned how to think through issues, formulate cogent arguments, and listen as well as speak. I was forced to engage with people having different viewpoints on a platform where we were accountable for our views.

Let's face it, a discussion about current affairs is certainly different when it's broadcast to your community, than when you are popping off around the dinner table with your family members.

That experience also eventually shed light on another important, but disappointing reality. You see, that station was once owned by an African American. That is no longer the case, however. If that divestiture was an isolated occurrence, it would be one thing. But unfortunately, the shift from a community-based minority ownership structure to something entirely different is symbolic of the drop across the country in minority and women ownership.

One last model for hope, however, is the membership of NFCB.

It has been suggested by some that broadcasting may be supplanted by the Internet as the way Americans retrieve their news and information. The argument is that broadcasting – especially radio broadcasting – will become an afterthought in the overall media landscape as things continue to evolve.

I see things quite differently, however. In an age where the Internet has done an incredible job of bringing the world to our doorsteps, it has not yet done the same – nor are there indications of if and when it will – for local news and information. Most of us know where to find national or international news on the Web. We have the bookmarks.

But if you really want to know what is going on in your local community, where do you turn? For most of us, it certainly is not the Internet. Sure, there are so-called “hyper-local” Web sites here and there that provide important neighborhood information. But this is the exception, and not the rule. And while someday, the Internet may be able to reliably link us all to our local communities, today is not that day.

For local news and information, there is almost no source better than community radio. The people in this audience understand their communities, and work to become integral parts of them. I urge you to continue to lead in this endeavor, and that others soon follow suit.

I have the pleasure of appearing before you today knowing that the Commission is trying to its part to assist in the growth of community radio. I believe the commitment is there. The steps we are now taking, are happening in part due to the voice that you, NFCB, have given to these important concerns.

One great example is the strides we are now making in tribal radio. When I met with Carol and Geoff Blackwell last September, they encouraged me to support the establishment of a priority for American Indian Tribes and Alaska Native Villages proposing FM allotments, and submitting AM and NCE FM filing window applications. They wisely suggested that the Commission proceed with the tribal preference, and put aside for the moment the more complex – yet unrelated – issues in the overall rural radio item.

I am pleased to say that the Commission heeded this advice. Back in early February, we adopted an order codifying this tribal preference and a notice for a further rulemaking on tribal auction bidding credits and priorities for non-landed tribes. NFCB, along with the National Congress of American Indians and Native Public Media, among others, helped us understand the important legal distinctions that permit such a preference.

Their analysis allowed the Commission to provide a meaningful opportunity for people living on tribal lands to benefit from increased service.

The tribal bidding credit process should signal that this Commission is very open to working with NFCB to craft policies to promote the licensing of new stations that would provide niche content to unserved communities and linguistic minorities. Obviously, addressing constitutional issues will be a key component of any moves we make in this arena.

The Commission is also finally plowing ahead with the 2007 NCE FM window. It is safe to say that you can expect a flurry of point system orders from the Commission over the next six months. Again, NFCB played a huge role here. Your outreach efforts resulted in a large number of filings and grants. I encourage you to continue your efforts to assist new permittees in getting their stations built and on the air.

Finally, work on the low-power front seems as likely as ever to pay off. Currently, there is an order circulating among the Commissioners at the FCC regarding whether to reconsider the previously imposed translation application cap of 10. I will continue to advocate swift movement on this order, as it is a key step toward the next LPFM window. As many of you know all too well, the Commission has had this issue before it since 2005.

I am also optimistic that Congress will act to permit the licensing of new community stations under extremely flexible FM translator-type protection standards. Should Congress pass the Local Community Radio Act, we could realize a unique opportunity to license a great number – many hundreds - of new low powered community-oriented radio stations. The House of Representatives passed this legislation in December, and a companion measure has been reported out of committee and is pending before the full Senate. The proposed rules would create the first opportunity to bring LPFM stations to major markets. Currently, only one LPFM station operates in a top-50 market.

With all of these positive developments underway or in the works, I wanted to touch on three additional areas that I believe can lead to growth in community radio.

The first one is an issue that you have already identified in your filings with the Commission. While I noted earlier that the Internet is not currently a replacement for community radio, there is no doubt it is – and will continue to be – a supplement to it.

You see, I do not believe that community broadcasters should be tied only to your medium. In today's world, radio is a technology that provides your message, but does not have to be the only technology that does so. At one point, the broadcaster and her medium were one in the same. If you ran a radio station, there was no difference between the station and the local content you provided. Today, however, you have the opportunity to use your station as a jumping off point to an even greater reach and impact in your communities.

I believe that many of you recognize this. The sooner you are able to harness other avenues, such as the Internet, to round out what you offer, the more potent you will be. As

trusted sources in your community, you will have a leg up in developing local content on line to complement your bread-and-butter work on the air.

A second area that may represent an opportunity for community broadcasters is HD radio. Now I understand that limited receiver penetration and the cost of digital transmission equipment may make owning an HD Radio station an unappealing option for community radio groups. However, in addition to current NCE FM new station licensing efforts and the upcoming LPFM window, HD can provide yet another way to promote broadcast diversity and expanded programming options.

Based on the Commission's 2007 order, we have imposed virtually no limits on the use of HD-2 and HD-3 channels. And the FCC's Media Bureau routinely permits FM translators to rebroadcast these channels. No prior staff approval is required.

In my view, NFCB should explore with its members the possibility of entering into partnerships with commercial and NCE stations to program HD-2 and HD-3 channels, and to acquire or enter into agreements to use translators to rebroadcast community station programming as analog signals. These are avenues that can expand your reach or create space for new stations simply looking for their first opportunities to get out there.

A final thought on where community radio might grow involves work on our part at the Commission. The National Broadband Plan makes clear that this Nation needs a comprehensive and thoughtful spectrum plan. Much of our approach over the course of our history of managing the public airwaves has been ad hoc, and without any overarching vision.

Now that the Commission has made spectrum policy a centerpiece of its agenda, I believe it is time that we consider the fate of Channels 5 and 6 as they relate to current radio service. These channels have proven difficult for television broadcasting, and I have a hard time imagining that they would fare much better as additional spectrum for mobile broadband use. This spectrum is not well suited for digital transmissions. It certainly is possible that this spectrum could be used for LPFM, expanded NCE use, and AM broadcasters.

I am not suggesting that the Commission move today to reallocate this spectrum for such uses. What I am suggesting, however, is that it is time for us to take a serious look at where these services fit within the overall spectrum plan, and that Channels 5 and 6 may be a good home. I will be encouraging my colleagues to take a look at this issue as we move forward with a long-term spectrum program, and I urge you to continue to weigh in about how the services you provide are worthy of a hard look when it comes to this spectrum in particular.

I want to thank NFCB again for inviting me here today. I have had a great time meeting many of you since I arrived yesterday, and I look forward to getting to know you in the days ahead. And don't be surprised if from time to time I happen to show up on your doorsteps when I am traveling around the country to say hello. Thank you.