

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Retention by Broadcasters of Program Recordings -- MB Docket No. 04-
232

**REPLY COMMENTS
OF
MIDWEST CHRISTIAN MEDIA, INC.
AND
FLAT FOOT MEDIA, INC.**

Introduction

Midwest Christian Media, Inc., (MCM) is a not-for-profit organization incorporated under the laws of the State of Missouri. One of its purposes is to provide consulting services to Christian churches and organizations concerning the Low Power FM (LPFM) Radio Service.

Flat Foot Media, Inc., (FFM) is also a not-for-profit organization incorporated under the laws of the State of Missouri. The Federal Communications Commission (FCC) has recently awarded FFM a Construction Permit for a LPFM radio station in Cape Girardeau, Missouri. It is one of MCM's clients.

Both MCM and FFM are Christian organizations that maintain a Statement of Faith as part of their bylaws.

These reply comments of MCM and FFM are in response to the Commission's Notice of Proposed Rulemaking, "Retention by Broadcasters of Program Recordings (MB Docket No. 04-232, adopted June 21, 2004)."

In this document, MCM and FFM reply to the comments of the New America Foundation (J.H. Snider, August 27, 2004), the United States Conference of Catholic

Bishops (Katherine G. Grincewich, August 27, 2004), and Morality in Media (Paul J. McGeady, August 18, 2004).

Evaluation of the Comments of the New America Foundation (NAF)

The summary of NAF's argument is that it believes the Notice of Proposed Rulemaking (NPRM) should be adopted because the data generated from its adoption would allow research into the broadcast media's effect on the political process.

NAF would require the expenditure of vast sums of money by broadcasters to record every second of programming on thousands of broadcast stations. The cost of the equipment and the cost of storage of the programming would be a horrible financial and man-hour burden for LPFM and many full power educational stations. However, the huge amount of recording required by the NAF could never be analyzed in a million years.

It would be much more reasonable for these scholars to identify a market they wish to study and buy, at their own expense, the receivers and recorders necessary to preserve the data for their study.

There are also statements made by NAF that are just uninformed. For example, “. . . broadcasters use an extremely valuable public resource . . . without any monetary compensation to the American public (page 2).” NAF apparently is unaware of the Commission's use of auctions and its imposition of filing fees and annual usage fees. NAF also seems to have no knowledge of the monthly issues and program reports that, in most cases, can be found in public inspection files.

Comments of the United States Conference of Catholic Bishops (USCCB)

MCM and FFM probably share many of the moral concerns of the USCCB.

USCCB supports the NPRM because it would allow more review of the broadcasters' programming by the public.

Rather than endorsing the universal application of the NPRM, the USCCB could realize its goals by suggesting that the FCC only force licensees with proven or suspected infractions to record their programming.

Another approach would be to exempt religious stations from recording their programming. Religious broadcasters probably have moral standards greater than any standard the Commission could enforce.

Comments of Morality in Media (MIM)

MCM and FFM would probably hold the moral standards of MIM.

MIM suggests that the Commission should only require broadcasters to record programming when any of the 39 items on their list are addressed (pages 8-10).

MIM's suggestion is certainly more reasonable than the comments of USCCB. However, MIM would still require stations with very small budgets, like LPFM stations, to buy expensive recorders and archiving equipment.

Not only is MIM's suggestion financially extreme but stations would be required to record programming from producers like Focus on the Family when they discuss, for example, very moral topics like sexual intercourse within the marriage context.

A much better solution would be to exempt religious licensees unless the Commission has been able to document an actual moral lapse. Perhaps this solution

could be applied univerrally to all broadcast stations.

Kenneth Bowles serves at the General Manager of MCM and FFM.

September 27, 2004

A handwritten signature in black ink on a red rectangular background. The signature reads "Kenneth W. Bowles" in a cursive script.

Kenneth W. Bowles

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