

**84 Proposals Pending Before The Federal Communications Commission
To Advance Minority Media and Telecommunications Ownership And Employment**

- 51 Proposals Or Concepts Drew No Significant Opposition –
- 21 Are Candidates For Full File Review Eligibility Criteria –
- 38 Were Recommended By The FCC’s Advisory Committee on Diversity –
- 45 Have Been Pending Longer Than Five Years –
- Three Have Been Pending Longer Than Ten Years –

March 5, 2010

I. Access to Capital and Opportunity in Media and Telecommunications

	Proposal	Organization	Diversity Committee
1.	<p>Examination of how to Promote Minority Ownership as an Integral Part of all FCC General Media Rulemaking Proceedings; Examine Major Rulemaking and Merger Applications to Discern the Potential Impact of the Proposed Rules or Transactions on Minority and Female Ownership; and Give Enhanced Consideration of Minority Ownership and Viewpoint Diversity Attendant to Consideration of Assignment and Transfer Applications</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>	<p>DCS (Oct. 1, 2007) *Originally presented by Citizens Communications Center in 1973 and later endorsed by NABOB DCS (July 30, 2008) *Developed by NABOB and Rainbow/PUSH Letter from MMTC to FCC (Jan. 21, 2009) (ethics and genuineness reviews of major mergers) DCS (Nov. 20, 2007) *Developed by NABOB and Rainbow/PUSH</p>	<p>June 14, 2004 (require FCC pre-approved license assignments or transfer of control applications to include a diversity impact statement)</p>
2.	<p>Conduct Ongoing Longitudinal Research on Minority and Women Ownership Trends</p> <p>No Significant Opposition</p>	<p>DCS (Oct. 1, 2007)</p>	
3.	<p>Definition of Socially and Economically Disadvantaged Businesses</p> <p>Complete the Effort to Determine Whether, and to What Extent, Bidding Credits Can Incorporate Measures That Account for Race</p> <p>No Significant Opposition to Underlying Concept</p>	<p>DCS (July 30, 2008); DCS (Nov. 1, 2007)</p> <p>MMTC Comments, Auction of FM Broadcast Construction Permits Scheduled for Nov. 1, 2005, DA 05-1076 (April 29, 2005)</p>	<p>September 22, 2009 (<u>Adarand</u> studies and full file review) October 22, 2008 (full file review)</p>

4.	<p>Grant Eligible Entities a Rebuttable Presumption of Eligibility for Waivers, Reductions, or Deferrals of Commission Fees</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>		October 28, 2008
5.	<p>Conduct Outreach to Increase Opportunities for Minorities and Women</p> <p>No Significant Opposition</p>		<p>June 14, 2004 (expand interagency relationship and sponsor annual FCC/SBA conference on small and minority businesses and emerging technologies)</p> <p>December 3, 2009 (outreach to increase awareness of benefits of lending/investing in minorities and women in broadcast industry)</p>
6.	<p>Designate a Commissioner to Oversee Access to Capital and Funding Acquisition Recommendations</p> <p>No Significant Opposition</p>		December 3, 2009
7.	<p>Develop a Policy Where Divestiture Remedies Promote Opportunities for Small, Women, and Minority Owned Businesses</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>		December 10, 2004
8.	<p>Provide Minority Auction Winners a Transferable Credit if Winner Certifies License Will Serve Unserved Markets</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>		June 14, 2004
9.	<p>Provide a Transferable Credit in Auctions if Winner Shows Transaction With an SDB</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>		June 14, 2004

10.	<p>Develop a New Communications Technologies Supplier Diversity Program and Examine Whether to Extend Procurement Requirements to Encourage Diversity to all Regulated Platforms; covers Current Opportunities, Barriers to Entry, Methods of Compliance, and Measuring Results</p> <p>No Significant Opposition</p>		<p>June 14, 2004 June 10, 2008</p>
11.	<p>Make Legislative Recommendations to Expand the Telecommunications Development Fund (TDF) and Finance TDF with Auction Proceeds</p> <p>No Significant Opposition to Underlying Concept</p>	<p>MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)</p>	<p>June 14, 2004 (expand TDF)</p>
12.	<p>Make Legislative Recommendation to Authorize Annual Media and Telecom Diversity and Digital Divide Census</p> <p>No Significant Opposition</p>	<p>MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)</p>	
13.	<p>Make Legislative Recommendation to Clarify Sections 307(b) (localism)</p>	<p>MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)</p>	
14.	<p>Make Legislative Recommendation to Amend FTC Act to Prohibit Racial Discrimination in Advertising Placement Terms</p> <p>No Significant Opposition to Underlying Concept</p>	<p>MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)</p>	
15.	<p>Make Legislative Recommendation to Increase Access to Capital by Creating a Small and Minority Communications Loan Guarantee Program</p> <p>FFR Concept; No Significant Opposition to Underlying Concept</p>		<p>June 14, 2004</p>

16.	<p>Make Legislative Recommendation to Create an Entity to Purchase Loans Made to Minority and Small Businesses in the Secondary Market</p> <p>FFR Concept; No Significant Opposition to Underlying Concept</p>		June 14, 2004
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II. Access to Capital and Opportunity in Media

	Proposal	Organization	Diversity Committee
17.	<p>Transfer Restriction of Grandfathered Clusters to Socially and Economically Disadvantaged Businesses (SDBs)</p> <p>Full File Review (FFR) Candidate; No Significant Opposition</p>	<p>Diversity and Competition Supporters (DCS) (Oct. 1, 2007) *Originally presented in 2003</p>	
18.	<p>Structural Rule Waiver for Selling a Station to an SDB, where the Sale to the SDB is Ancillary to a Transaction that Otherwise would be Barred by an Ownership Rule (the “Minority Ownership Incubation Proposal”)</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>	<p>Diversity and Competition Supporters (DCS) (Oct. 1, 2007) *Originally presented in 1990 by NABOB and MMTTC; Commission proposed it unanimously in 1992 NPRM; has been before the Commission in five dockets since without a vote</p>	
19.	<p>Bifurcation of Channels for Share-Times with SDBs</p> <p>FFR Candidate</p>	<p>DCS (Oct. 1, 2007) *Originally presented in 2002</p>	June 14, 2004
20.	<p>Structural Rule Waivers for Financing Construction of an SDB’s Unbuilt Station</p> <p>FFR Candidate; No Significant Opposition</p>	<p>DCS (Oct. 1, 2007) *Originally presented in 1999</p>	
21.	<p>Relax Broadcast Foreign Ownership Restrictions (<u>see</u> 47 U.S.C. §310(b)(4))</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>	<p>DCS (Oct. 1, 2007) DCS Petition for Partial Reconsideration (June 16, 2008) (seeking reconsideration of the Commission’s refusal to consider relaxing foreign ownership restrictions)</p>	*Originally proposed by Diversity Committee on December 10, 2004

22.	Use of the Share-Time Rule to Foster Ownership of DTV and FM Subchannels FFR Candidate	DCS (Oct. 1, 2007)	
23.	Retention On Air of AM Expanded Band Owners' Stations if One of the Stations is Sold to a SDB FFR Candidate (but original proponents are satisfied with the current small business definition for this proposal); No Significant Opposition	DCS (Oct. 1, 2007) *Originally proposed in 2006 by broadcast and public interest groups Request for Waiver of Rules Requiring Return of AM Licenses, MM Docket No. 87-267 (March 27, 2006)	
24.	Mathematical Touchstones: Tipping Points for the Non-Viability of Independently Owned Radio Stations in a Consolidating Market, and Quantifying Source Diversity No Significant Opposition to Underlying Concept	DCS (Oct. 1, 2007)	
25.	Market-based, Tradable Diversity Credits as an Alternative to Voice Tests No Significant Opposition to Underlying Concept	DCS (Oct. 1, 2007)	
26.	Must-Carry for Certain Class A Television Stations FFR Candidate	DCS (July 30, 2008) *Extends a proposal by Community Broadcasters Association Petition for Partial Further Reconsideration, CS Docket No. 98-120 (April 21, 2005)	
27.	Decline to Grant Temporary Waivers of the Local Ownership Rules to Parties Proposing a Transaction that Would Create Station Combinations Exceeding the Ownership Caps	DCS (July 30, 2008) *Developed by NABOB and Rainbow/PUSH	
28.	Treat Local Marketing Agreements as Attributable Interests	DCS (July 30, 2008) *Developed by NABOB and Rainbow/PUSH	

29.	<p>Allow Minorities to Own Station Combinations Equal to the Largest Combination in a Market to Counter Balance the Economic Impact of Grandfathered Holdings</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>	<p>DCS (July 30, 2008) *Developed by NABOB and Rainbow/PUSH</p>	
30.	<p>Repeal of Radio Subcaps</p> <p>*In the <u>Diversity Order</u>, the FCC declined to act on this proposal because the subcaps were retained in the 2006 Quadrennial Report and Order</p>	<p>DCS (Nov. 20, 2007) *Developed by Multicultural Radio Broadcasting, Inc.</p>	
31.	<p>Allow Joint Operating Agreements as an Alternative to LMAs and JSAs, and Hold that Genuine JOAs are Non-Attributable</p>	<p>DCS, Petition for Reconsideration, MB Docket No. 02-277 (Sept. 4, 2003)</p>	
32.	<p>Reverse Authorization of Triopolies</p>	<p>DCS, Petition for Reconsideration, MB Docket No. 02-277 (Sept. 4, 2003)</p>	
33.	<p>Relax the Main Studio Rule</p> <p>No Significant Opposition to Underlying Concept</p>	<p>MMTC Radio Rescue Petition (July 19, 2009)</p>	<p>December 10, 2007; October 4, 2004 (relax community of license)</p>
34.	<p>Clarify that Eligible Entities Can Obtain 18 Months to Construct Major Modifications of Authorized Facilities</p> <p>FFR Candidate; No Significant Opposition to Underlying Concept</p>	<p>MMTC Radio Rescue Petition (July 19, 2009)</p>	
35.	<p>Extend the Three-Year Period for New Station Construction Permits</p> <p>No Significant Opposition</p>	<p>MMTC Radio Rescue Petition (July 19, 2009)</p>	
36.	<p>Conduct Tutorials on Radio Engineering Rules at Headquarters and Annual Conferences</p> <p>No Significant Opposition</p>	<p>MMTC Radio Rescue Petition (July 19, 2009)</p>	
37.	<p>Create a Broadcast Public Engineer Position to Assist Small Business and Nonprofits with Routine Engineering Matters</p> <p>No Significant Opposition</p>	<p>MMTC Radio Rescue Petition (July 19, 2009)</p>	

38.	Issue a One-Year Blanket Waiver of Application Fees for Small Business and Nonprofits No Significant Opposition to Underlying Concept	MMTC Radio Rescue Petition (July 19, 2009)	
39.	Make Legislative Recommendation to Allow Private Lenders to Take a Security Interest in FCC Licenses		June 14, 2004

III. Access to Spectrum for Broadcasting

	Proposal	Organization	Diversity Committee
40.	Create Medium Powered FM Stations		October 4, 2004
41.	Replace FM Table With Interference-Based Allotment Criteria		October 4, 2004
42.	Authorize Interference Agreements No Significant Opposition to Underlying Concept		October 4, 2004
43.	Harmonize Regional Interference Protection Standards; Allow FM Applicants to Specify Class C, C0, C1, C2 and C3 Facilities in Zone I and IA	MMTC Radio Rescue Petition (July 19, 2009) (FM station class specifications)	October 4, 2004 (regional interference protection standards)
44.	Remove Non-Viable FM Allotments No Significant Opposition	MMTC Radio Rescue Petition (July 19, 2009) MMTC Comments, RM-10960 (May 24, 2004) (allocate funds for spectrum-clearing incentive grants to failing rural stations)	October 4, 2004 (conduct a search for new FM allotments)
45.	Relax the Limit of Four Contingent Applications No Significant Opposition to Underlying Concept	MMTC Radio Rescue Petition (July 19, 2009)	
46.	Study the Feasibility of a New Radio Agreement with Cuba No Significant Opposition	MMTC Radio Rescue Petition (July 19, 2009)	
47.	Increase Auction Discounts to New Entrants FFR Candidate	MMTC Reply Comments: Competitive Bidding Procedures FM Auction 79 (April 1, 2009) (Auction 79 Reply Comments) *Developed by Mullaney Engineering, Inc.	

48.	Require Minimum Opening Bid Deposit on Each Allotment for Bidders Bidding for an Excessive Proportion of Available Allotments	MMTC Auction 79 Reply Comments (April 1, 2009)	
49.	Only Allow Subsequent Bids to be Made Within no more than Six Rounds Following the Initial Bid	MMTC Auction 79 Reply Comments (April 1, 2009)	
50.	Provide Narrow Eligibility Requirements for Bidding Credits; Expand Eligibility Where Bidder's Interest in Standalone AM Station to be Non-attributable to Bid for a FM Permit in the Same ADI FFR Candidate	MMTC Comments, Auction of FM Broadcast Construction Permits Scheduled for Nov. 1, 2005, DA 05-1076 (April 29, 2005)	
51.	Require Bidders to Specify Intention to Bid Only on Channels With Total Minimum Bid of Four Times Their Deposit and Designate a Second Place Bidder if Winning Bidder Withdraws	MMTC Comments, Auction of FM Broadcast Construction Permits Scheduled for Nov. 1, 2005, DA 05-1076 (April 29, 2005)	
52.	Do Not Include Any Channel Where CDBS Shows a Conflicting Proposal or Internal Coordination is Incomplete	MMTC Comments, Auction of FM Broadcast Construction Permits Scheduled for Nov. 1, 2005, DA 05-1076 (April 29, 2005)	
53.	Conduct Aggressive Outreach to Encourage Minority Bidders and Provide Same Day Reporting on Disentitlements to Bidding Credits No Significant Opposition to Underlying Concept	MMTC Comments, Auction of FM Broadcast Construction Permits Scheduled for Nov. 1, 2005, DA 05-1076 (April 29, 2005)	October 4, 2004 (require same-day updates of entitlements to bidding credits)
54.	Reallocation of TV Channels 5/6 for FM Service and Establish an AM Transition Federal Advisory Committee to Make Recommendations for the Use of 5/6 Post DTV Transition No Significant Opposition to Advisory Committee Concept (but some opposition to the 5/6 migration proposal)	DCS (July 30, 2008) *Originally proposed by Mullaney Engineering MMTC Radio Rescue Petition (July 19, 2009)	
55.	Evaluate Media Access Project's Proposal for new "Class S" Television Station to Share-Time With Full Power DTV No Significant Opposition to Underlying Concept		October 28, 2008

56.	Request the Removal of AM Nighttime Coverage from Section 73.21(i) No Significant Opposition	MMTC Radio Rescue Petition (July 19, 2009)	
57.	Relax Principal Community Coverage Rules for Commercial Stations No Significant Opposition	MMTC Radio Rescue Petition (July 19, 2009)	
58.	Replace Minimum Efficiency Standard for AM Stations with a “Minimum Radiation” Standard No Significant Opposition	MMTC Radio Rescue Petition (July 19, 2009)	October 4, 2004 (allow Class A stations to use low towers and higher-than-standard power while retaining appropriate ERP levels)
59.	Maintain a Rule of 10 Translator Applications Per Applicant	MMTC Radio Rescue Petition (July 19, 2009)	
60.	Create a New Local “L” Class of LPFM Stations	MMTC Radio Rescue Petition (July 19, 2009)	

IV. Access to Spectrum for Telecommunications

	Proposal	Organization	Diversity Committee
61.	Expedite FCC Application Review When Notice of Intent to Sell/Lease Spectrum Was Done in a Manner that Provided Notice to Minorities No Significant Opposition to Underlying Concept		June 14, 2004
62.	Waive Pre-Approval Requirement for Common Carrier License and Transfers of Control if Not Conflicting with Public Interest and Results in Minority Ownership of 25% or More FFR Candidate; No Significant Opposition to Underlying Concept		June 14, 2004
63.	Set Aside 2006 Designated Entity Rule Changes	MMTC Comments, CC Docket No. 96-45; being litigated in <u>Council Tree Communications v. FCC</u> , No. 08-2036 (3d Cir.)	September 22, 2009 April 25, 2006 (recommending the FCC not change its DE rules prior to Auction 66 and allowing further Comment)

64.	Do Not Award DE Benefits to Entities that Have a Material Relationship With Large In-Region Incumbent Wireless Providers – Specifically: Create a Pre-clearance Process for DE Applicants; Conduct Random Audits Afterwards; and Strengthen Unjust Enrichment Rules	MMTC Comments, WT Docket No. 05-211 (Feb. 24, 2006) MMTC Application for Review PN Rpt. AUC-04-37-K (Auction No. 37) (July 12, 2004) (requests closing loophole by requiring full and timely disclosure of applicants entitlement to bidding credits)	
65.	Reduce Barriers to Deployment of Unlicensed Services and Technologies by Increasing Amount of Spectrum Set Asides for Unlicensed Use		June 14, 2004
66.	Reduce Barriers to Deployment of Unlicensed Services and Technologies by Expediting Equipment Certification Process No Significant Opposition		June 14, 2004
67.	Reduce Barriers to Deployment of Unlicensed Services and Technologies by Increasing Maximum Initial Terms for Experimental Licenses No Significant Opposition		June 14, 2004
68.	Reduce Barriers to Deployment of Unlicensed Services and Technologies by Expanding Maximum Term of Special Temporary Authorization No Significant Opposition		June 14, 2004
69.	Increase Access to Licensed Spectrum by Increasing Bidding Credits to Small and Very Small Businesses FFR Candidate		June 14, 2004
70.	Increase Access to Licensed Spectrum by Identifying Auctions Where Assigned Licenses Cover Small Geographic Areas No Significant Opposition to Underlying Concept		June 14, 2004

71.	Increase Access to Licensed Spectrum by Waiving Pre-Approval Requirements of Lease Agreements that Transfer De Facto Control of Common Carrier Licenses that Do Not Conflict with Public Interest No Significant Opposition to Underlying Concept		June 14, 2004
72.	Make Legislative Recommendation to Amend 309(j) (spectrum auctions)	MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)	

V. Civil Rights Compliance and Enforcement

	Proposal	Organization	Diversity Committee
73.	Prepare Two Diversity Guides for Companies in Media and Telecom Industry and for Small Businesses, Entrepreneurs and other New Entrants No Significant Opposition		June 10, 2008
74.	Develop an Online Resource Directory to Enhance Recruitment, Career Advancement, and Diversity Efforts No Significant Opposition		December 10, 2004 December 3, 2009 (utilizing part of the FCC's website for potential lenders and entrepreneurs seeking funding)
75.	Extend Advertising Nondiscrimination Rule to all Platforms	Letter from MMTC to FCC (Aug. 12, 2009); MMTC Petition for Rulemaking (Feb. 16, 2009)	
76.	Create a New Civil Rights Branch of the Enforcement Bureau with Staff and Compliance Officers for EEO, Transactional and Advertising Nondiscrimination for All Platforms No Significant Opposition to Underlying Concept	Letter from MMTC to FCC (Jan. 21, 2009)	
77.	Designate a Senior Compliance Officer for the Advertising Nondiscrimination Rule No Significant Opposition	Letter from MMTC to FCC (Aug. 12, 2009); MMTC Petition for Rulemaking (Feb. 16, 2009)	

78.	Conduct 403 Inquiry into PPM	PPM Coalition, MB Docket No. 08-187 (Sept. 24, 2008); PPM Coalition Emergency Petition (Sept. 2, 2008)	December 3, 2009; July 28, 2008
79.	Restore Effective EEO Enforcement; Prohibit Excessive Word of Mouth Recruitment from Homogeneous Workplaces; and Designate Evidentiary Hearings Promptly	Letter from MMTC to FCC (Jan. 21, 2009) MMTC Reply Comments, MM Docket No. 98-204 (June 6, 2004) MMTC Comments, MM Docket No. 98-204 (May 22, 2008) Comments of the National Organization for Women <u>et al.</u> , MM Docket No. 98-204 (July 29, 2004)	
80.	EEO Proposals: Collect and Publish Form 395 Data and Annual Employment Reports At a Set Date	MMTC Reply Comments, MM Docket No. 98-204 (June 6, 2004) MMTC Comments, MM Docket No. 98-204 (May 22, 2008) Comments of the National Organization for Women <u>et al.</u> , MM Docket No. 98-204 (July 29, 2004)	
81.	Close the Loopholes Allowing Rural Broadcasters to Perform Two Rather than Four EEO Outreach Initiatives Every Two Years	EEO Supporters, Petition for Clarification (Feb. 6, 2003)	
82.	Reaffirm Willingness to Consider Statistical Evidence of Industry-wide EEO Noncompliance	EEO Supporters, Petition for Clarification (Feb. 6, 2003)	
83.	Amend EEO Rules to Provide for Greater Focus on Retention and Career Development of Diverse Candidates No Significant Opposition		December 3, 2009; December 10, 2004
84.	Make Legislative Recommendation to Expand Sections 334 and 634 (EEO)	MMTC, Legislative Recommendations to Advance Diversity in the Media and Telecom Industries (Jan. 21, 2009)	