

# Low Power Radio:

Lost Opportunity or Success on the Dial?



# LPFM stations allow local broadcasters to serve their local communities

## OVERVIEW

In 2000, Congress affirmed the Federal Communications Commission's decision to license low power radio. This reopened the airwaves to allow for local FM broadcasting after a 20-year hiatus. Today there are almost 800 local, low power radio stations on the air. Unfortunately, Congressional inaction is preventing this opportunity from being fully available to communities across the country.

In an era of mass media consolidation, the Leadership Conference on Civil Rights (LCCR) believes that it is important to preserve an avenue through which diverse viewpoints can be represented over the public airwaves, namely, low power radio (LPFM). Thus, LCCR calls on Congress to lift its restrictions on the FCC's authority to license LPFM.

LCCR is the nation's oldest, largest, and most diverse coalition of organizations dedicated to advancing civil rights, including equal opportunity to access the nation's airwaves. LCCR consists of more than 200 national organizations representing persons of color, women, children, organized labor, persons with disabilities, seniors, gays and lesbians, and major religious groups. LCCR is privileged to present this report on behalf of the civil and human rights community concerning an important opportunity for all segments of society to participate fully in the broadcast communications environment.

## WHAT IS LPFM?

Low Power FM stations (LPFM) are community-based, non-commercial radio stations that operate at 100 watts or fewer. LPFM stations allow local broadcasters to serve their local communities. They address the interests of specific groups including neighborhoods, people of color, trade unions, and religious and linguistic communities, and provide a forum for news and debate about important local issues. Historically,

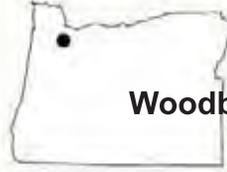
community-based low power radio stations have been an important part of radio broadcasting. However, in 1978, the FCC put a freeze on issuing these low wattage licenses. This policy was reversed in 2000.

Low power radio can help promote social justice and civil rights through news and informational programming. LPFM stations work closely with local law enforcement officials and emergency service responders to save lives and rebuild communities following natural disasters and can focus on local public safety needs. LPFM stations do what mega-radio networks cannot: provide local news and meet local needs.

Low power radio is especially important given the state of the radio industry. Radio is one of our most powerful means of mass communication. Millions of Americans wake up to the radio every morning, listen to the radio on their drive to and from work, and have the radio on in their offices. Every week radio reaches 93 percent of everyone over 12 years-old.<sup>1</sup> While hundreds of millions of people listen to the radio, only a handful of companies own and manage radio stations and control the news, information, and music most of us hear. Women and people of color own few stations and hold few positions of power; less than 6 percent of radio news directors are people of color. Media consolidation is driving out the few remaining small stations – which often are owned or run by women and people of color, and which provide programming not available anywhere else. Fewer people owning more stations and making more decisions means less diversity of views, news, and programming. Low power radio is one part of the answer to bringing women and people of color into the civic discussion via the airwaves and to expanding choices for listeners.

Despite the clear benefits of LPFM, this important service is on the verge of being a classic “what-could-

## SUCCESS ON THE DIAL



### Woodburn, Oregon

#### **Pineros y Campesinos Unidos del Noroeste (Northwest Treeplanters and Farmworkers United)**

Oregon’s union of farmworkers, nursery, and reforestation workers, and the state’s largest Latino organization launched its low power radio station in Woodburn, Oregon (KPCN-LP) in 2007. Its Spanish-language programming serves the community as well as its union members.



### South Bend, Indiana

#### **WSBL-LP** regularly

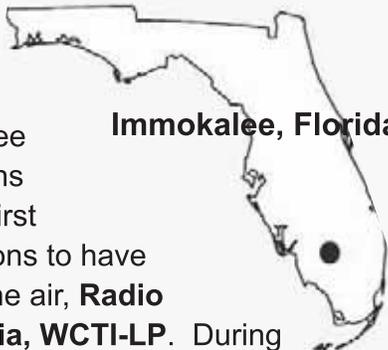
runs public service announcements for early-childhood vaccinations, prostate cancer testing, and HIV screenings and can measure the results. “The statistics at local clinics jumped from last year to this,” says Eliud Villanueva, director of WSBL-LP. “We have really made a difference, and that surprised us more than anyone else.”

**SUCCESS ON THE DIAL**



**Oroville, California**

Marianne Knorzer is the station manager for **KRBS-LP** in Oroville, California, where she coordinates more than 50 volunteers who contribute to a sophisticated and vibrant community radio station offering local programming to its rural community, including everything from Hmong language programming to Reggae.



**Immokalee, Florida**

The Coalition of Immokalee Workers runs one of the first LPFM stations to have gotten on the air, **Radio Conciencia, WCTI-LP**. During Hurricane Wilma, Radio Conciencia was the only radio that was transmitting information on where to go and what to do in Spanish and in the indigenous languages spoken in the community. During the construction period after the hurricane, some workers called the station to say that they had not been paid by the construction company that employed them. Through outreach on the station, CIW was able to identify hundreds of similarly situated workers and use legal tools to obtain their compensation.

have-been” story. The FCC has been trying to do the right thing, but Congress blocked the FCC’s decision. Advocates are working to persuade Congress to change its mind and let the FCC do its job: adopt reasonable rules allowing new locally programmed, low power FM radio stations to go on the air.

**CONGRESS SECOND GUESSES ITS EXPERT AGENCY ON SPECTRUM ALLOCATION**

The FCC’s rules for low power radio use scarce spectrum more efficiently, allowing more radio stations to occupy the dial. Advances in radio technology since the radio spacing rules were first created allows closer spacing of radio stations. This more efficient use would allow the nation to bring back the diversity that was a hallmark of the heyday of radio. The FCC, the government’s expert on broadcast radio, adopted a cautious and careful technical plan that would take advantage of this wasted capacity to increase the number of voices on the air and promote free speech.

The FCC studied the technical questions and adopted a proposal that would protect existing full power stations from interference.<sup>2</sup> The FCC’s decision took into account a voluminous record that included numerous technical studies, several of which were submitted by large incumbent broadcasters. The FCC adopted a proposal that was time-tested. Incumbent broadcasters already use the spacing rules the FCC adopted for LPFM for their own small “translator” stations. In weighing all of the evidence, the FCC found that the large incumbent broadcasters’ companies’ claims that low power radio would cause “oceans of interference” was vastly overstated.<sup>3</sup>

Despite this extensive record and strong public support, Congress limited local low power radio by passing the deceptively-named “Radio Broadcasting Preservation Act.” This bill, which was tacked on to

a larger must-pass appropriations bill in the chaotic closing days of Congress in 2000, prevented the FCC from implementing its full proposal. The bill eliminated about 75 percent of the original LPFM licensing opportunities (predominantly in the most densely populated areas), leaving only one new station available in the top fifty American cities.

As part of the Act, Congress also required the FCC to hire an independent contractor to conduct another study to review the technical record and report to Congress. In July 2003, the Mitre Corporation completed its review of the technical issues surrounding low power radio, at the expense of \$2.2 million. Mitre found no significant problems and recommended lifting the unnecessary restrictions imposed by Congress.

Six years later, Congress has not acted. Thousands of community organizations are still unable to obtain unused airwaves to connect with neighbors and listeners and bring a local focus and much-needed diversity to the radio.

#### **LOW POWER RADIO: AN ANTIDOTE TO THE MODERN RADIO INDUSTRY**

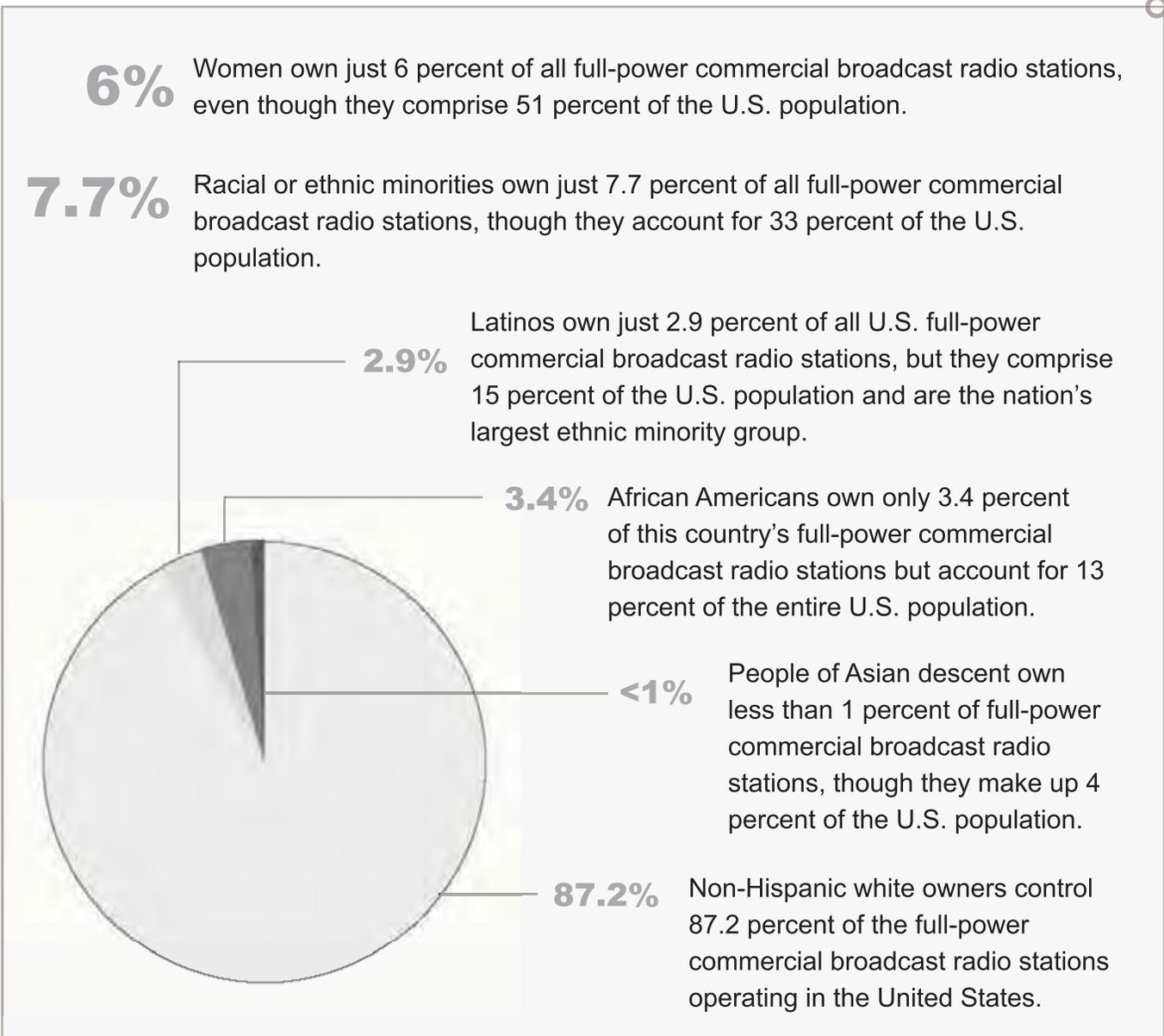
The importance of low power radio is best understood in the context of the modern commercial radio industry. Radio is one of our oldest and most powerful means of mass communication. Radio listeners (93 percent of everyone over 12 years old, or more than 200 million people) spend on average 19 hours per week listening to the radio. 94 percent of African-American listeners spend 21 hours per week listening to the radio, and 95 percent of Hispanics spend an average of 22 hours.<sup>4</sup> One indicator of the number of people who listen to the radio is the amount of money spent reaching them; in 2006, for example, the radio industry earned more than \$20 billion in advertising revenue.

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OWNERSHIP AND EMPLOYMENT IN RADIO

LCCR has long regarded expanding minority and female ownership in media as important goals because of the powerful role the media plays in the democratic process, as well as in shaping perceptions about who we are as individuals and as a nation. By providing community leaders the opportunity to have a voice on the public airwaves where no such opportunity previously existed, LPFM will help promote greater diversity on the public airwaves—diversity that is sorely lacking.

Despite a national consensus going back to the late 1960s on the importance of diversity in media ownership and employment, progress has slowed to a crawl in the wake of the 1996 Telecommunications Act. In 2007, the nonpartisan media advocacy group Free Press completed the most thorough analysis of the demographics of radio station ownership ever conducted. Their findings are in the following chart:



**4.7%** Just 4.7 percent of all full-power commercial broadcast radio stations are owned by an entity with a female CEO or president.

**1%** Only 1 percent of the stations not owned by women are controlled by an entity with a female CEO or president.

**8%** Just 8 percent of all full-power commercial broadcast radio stations are owned by an entity with a CEO or president who is a racial or ethnic minority.

**<1%** Less than 1 percent of stations not owned by people of color are controlled by an entity with a minority CEO or president.<sup>5</sup>

Minorities and women—historically under-represented in the radio and television workforce—have lost ground in the period of rapid media consolidation over the past decade. The Radio and Television News Directors conduct a regular survey of

participation in employment by women and people of color in broadcast news. The most recent survey was released early in 2008. It found that employment by women and people of color in radio is very low generally, and extremely low for news directors.<sup>6</sup>

**Radio News Workforce Participation: Minorities and Women**

	2008	2007	2006	2005	2000	1995
<b>Caucasian</b>	88.2%	93.8%	93.6%	92.1%	90%	85.3%
<b>African-American</b>	7.8	3.3	2.5	0.7	5	5.7
<b>Hispanic</b>	3.6	0.7	1.9	6.0	3	7.5
<b>Asian-American</b>	0.4	1.1	1.8	0.7	1	0.6
<b>Native American</b>	0	1.1	0.2	0.5	1	1
<b>Total People of Color</b>	11.8	6.2	6.4	7.9	10	14.8

**Radio News Workforce Directors: Minorities and Women**

	2008	2007	2006	2005	2000	1995
<b>Caucasian</b>	94.1%	88.0%	95.6%	89.0%	94.0%	91.4%
<b>African-American</b>	1.7	4.4	1.9	0	3.0	5.4
<b>Hispanic</b>	3.4	3.8	1.3	8.8	2.0	2.4
<b>Asian-American</b>	0.8	1.9	0.6	0	0	0
<b>Native American</b>	0.8	1.9	0.6	2.2	1	0.8
<b>Total People of Color</b>	5.9	12	4.4	11	6	8.6

## LOST OPPORTUNITIES

### Chester, Pennsylvania



#### The Groundwork, USA branch of Chester, PA

In a predominantly poor, African-American community with major needs for environmental revitalization, Groundwork, USA helps community members to care for neglected land, build job training for environmental care, and build local capacity for neighborhoods to care for themselves. A community radio station would have greatly bolstered this group and allied organizations' ability to express their message.

See: <http://www.groundworkusa.net/>



### Puerto Rico

None of Puerto Rico's 20 applicants were granted licenses because of the Congressional restrictions. This included the University of Puerto Rico at Arecibo/Arecibo University College (<http://www.upra.edu/>). This prominent technical college could have used an LPFM station to bolster its academic and community offerings, but Congress limited LPFM, keeping it from the Puerto Rico market.

If racial and ethnic minorities, women, older Americans, and persons with disabilities are not employed in news operations at all levels of management, there are few who can speak with authority about their condition in the community. This means less, or less complete, coverage of issues that are important to them—issues like economic inclusion, the struggle for quality public education, immigration reform, and hate crime prevention. And if local people are not involved in the management of local news operations, issues important to local communities can be ignored.

The civil rights community cares about media ownership because the way the public looks at issues—indeed, whether the public is even aware of issues like fair housing or voter discrimination—is directly related to the way these issues are covered by the media. The way the media covers issues is directly related to which reporters and producers and anchors are actually employed by the media. Who is employed by the media is directly related to who owns the media. And who owns the media is directly related to policies that determine who gets a federal license to operate and who does not.

#### RADIO CONSOLIDATION AND HOMOGENIZATION

The 21st century is rapidly becoming the Age of Big Media. And as consolidation grows, localism suffers and diversity dwindles. Local ownership of broadcast outlets means better coverage for the communities they serve. Yet it has become increasingly difficult to find radio content that accurately showcases the breadth and diversity of the American experience.

This is not a coincidence. The nonpartisan Future of Music Coalition (FMC) found that in 2005, half of listeners tuned to stations owned by only four companies, and the top ten firms had almost two-thirds of listeners. At the same time, radio

listenership has declined 22 percent since its peak in 1989 in the top 155 markets.<sup>7</sup> In 2002, FMC found that only four companies controlled two-thirds of the news market.<sup>8</sup> Moreover, FMC found a close correlation between declining wages in the radio industry and consolidation, making it harder for workers and entertainers to make a living and increasing the likelihood that small owners will be forced to sell out to large conglomerates.

Consolidation affects content. FMC found that just 15 formats make up more than 76 percent of commercial programming; that only smaller station owners provide music programming such as Classical, Jazz, Americana, Bluegrass, New Rock, and Folk; and that smaller station owners predominantly offer foreign-language, ethnic-community programming, children's programming, and religious programming.<sup>9</sup>

Free Press found that minority owners are more likely to air formats that appeal to minority audiences, even though other formats may be more lucrative. Among the 20 general station format categories, minority-owned stations were significantly more likely to air "Spanish," "religion," "urban," and "ethnic" formats. The Spanish and religion formats alone account for nearly half of all minority-owned stations.<sup>10</sup>

#### CONCLUSION

The success of LPFM is important to the civil rights community. In an era of mass media consolidation, the civil rights community believes that it is important to preserve an avenue through which diverse viewpoints can be represented over the public airwaves. By dramatically lowering financial and other barriers that prevent many community voices from being heard on the airwaves, the FCC's low power FM initiative represents the best opportunity in years for diversity in radio broadcasting and ownership.

## LOST OPPORTUNITIES

### Chicago, Illinois



The Southwest Youth Services Collaborative (<http://www.swyc.org/>) provides a multitude of programs to Chicago youth to promote awareness in community issues and social justice. The programs focus on grassroots youth organizing on important community issues; the "University of Arts & Hip-Hop," which combines art and the urban landscape of Chicago; preparing youth for the workforce through job placements, referrals, and mentoring and training in technology and media; and many other projects.

### Houston, Texas



The Mbaise Cultural Union, which has done critical work with

Nigerian immigrants in Houston, would have benefited greatly from a Low Power FM station addressing the community's issues and needs – and could have been a critical source of information during the recent hurricane.

## Appendix A

### MANY EXCITING NEW STATIONS POTENTIALLY ON LOW POWER RADIO

Because of Congress's inaction, a wide range of radio stations may never see the light of day. A look at the vibrant examples of proposed stations and existing stations gives insight into the vast benefits of low power radio today. Examples are featured throughout the report and below.

#### ALREADY ON THE AIR:

**Pineros y Campesinos Unidos del Noroeste**, Woodburn, Oregon (see report p. 2)

**WSBL-LP**, South Bend, Indiana (see report, p. 2)

**KRBS-LP**, Orville, California (see report, p. 3)

**Radio Consciencia, Immokalee, Florida**, plays Latin music not heard on local commercial Spanish-language radio stations. It keeps alive folk music of the indigenous cultures from the listeners' home communities. (see report, p. 3)

**KDEE-LP (97.7)**, "Grown Folks Music," licensed to the California Black Chamber of Commerce, features expansive community news and public affairs, classic soul music, and great opportunities for local leaders to get on the FM dial.

#### APPLICANTS NOT ABLE TO OBTAIN A STATION:

**Sur Sangam Radio**, in Hayward, south of Oakland, broadcasts using shortwave radio signals to South Asians. They applied to broadcast at 92.5 on their own low power FM frequency, but Congress limited LPFM from densely populated areas like this one.

**The Mbaise Cultural Union** (see report, p. 8)

**Warith Deen Mohammed High School** (<http://islamicvalley.com/>) serves Atlanta's rapidly growing Muslim population.

**The Zion City Church in St. Louis** (<http://www.zcitychurch.com/>), an interracial community church serving many diverse communities, lost its chance to share its message because of Congressional restrictions on low power FM radio.

**St. Louis University High School** (<http://www.sluh.org/>), a Jesuit preparatory school that could have used its own low power FM radio station to teach essential technical skills to its young leaders, lost out when Congress limited LPFM. Currently the student radio station, the Pulse, can only be heard online or over cable connections, or on their extremely tiny unlicensed FM broadcast (<http://archive.sluh.org/pulse/info.html>)

**University of Puerto Rico at Arecibo/Arecibo University College and other Puerto Rican applicants** (see report, p. 7)

OTHER EXAMPLES OF APPLICANTS INTERESTED IN RADIO:

**The Society for the Preservation of Korean Culture and Language** applied for a low power radio station in the Chicago area.

**Oakland's Media Academy** (<http://www.media-academy.net/>) is part of an Oakland consortium of schools, the Fremont Federation of High Schools. The Media Academy is one of the four schools that share a library, health clinic, physical education facilities, a unity center, auditorium, and cafeteria. The school is built around careers in newspaper, magazine, radio, and television journalism.

**The Southwest Youth Services Collaborative** (see report, p. 8)

**Prominent African-American churches**, including the Faith African Methodist Episcopal Church; and Haitian groups, including the Anakawona Association and the Nago Cultural Association, applied for LPFM licenses in Brooklyn. Anakawona has won a number of community arts awards for the arts service, performance, and training they provide in eastern Brooklyn. A 22 year-old Haitian community arts and training organization, Anakawona provides multi-media offerings folkloric dance, theatre, song, percussion, poetry, art, history, and geography of Haiti.

**The Pentecostal Church of the Eternal Rock** in Detroit, which serves Dominican immigrants close to Dearborn, lost out when Congress limited LPFM radio.

**Detroit Summer** (<http://detroitsummer.org/>), a project of youth of color working to build power and justice in urban Detroit, produces radio content and music about the lives of high schoolers trying to change their city for the better with creativity and critical thinking.

**Marietta's Noonday Baptist Church** (<http://www.noondaychurch.org/>), in Atlanta, operates a leading preschool program and kindergarten, counseling programs, and community outreach to immigrant and non-English speaking communities.

## Appendix B

### THIRD ADJACENT, SECOND ADJACENT – WHAT DOES IT ALL MEAN?

The FCC spaces out radio stations to keep them from interfering with one another. These spaces are known as “adjacent channels.” The existing FCC rules mandate that full-power radio stations – from 6,000 to 50,000 watts – be licensed at intervals four channels apart, so there are three adjacent channels between full power radio stations. As the diagram below illustrates, if there is a full power radio station at 100.1, the next full power radio station would be placed at 99.3

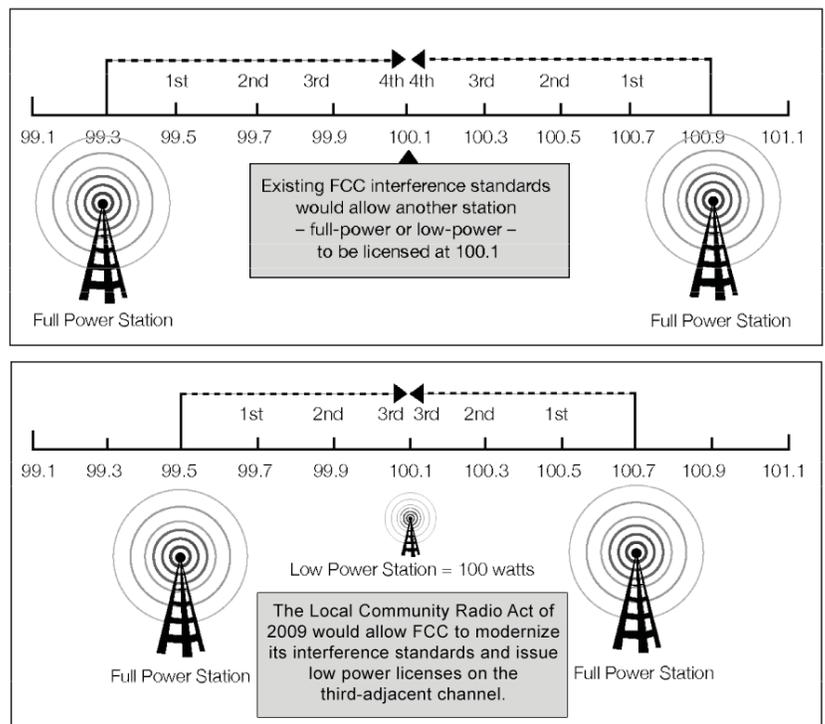
Smaller, low power stations, operating at 100 watts are a different story. After conducting its technical analysis, the FCC concluded that small low power radio stations could be placed one channel closer than full power stations, opening up the third adjacent channel for use. In the illustration, a low power radio station at 100.1 could occur next to a full power radio station at 99.5 instead of 99.3.

This is a similar standard to the one the FCC uses for existing “translator” stations used by full power radio stations to extend their signals. Translators, which operate at the same power levels

as low power radio stations, are permitted to broadcast only three channels apart. In other words, **broadcasters who oppose LPFM for technical reasons use transmitters that follow the same rules as the FCC would like to adopt for LPFM.** In addition, the FCC conducted a detailed study of modern radio receivers and found that most radios in use today would be able to obtain full power radio signals despite new low power radio stations. Moreover, the FCC looked at older full power stations that are currently three channels apart and have been grandfathered under existing FCC rules.

When Congress stopped the FCC, it prevented low power radio stations from occurring on third adjacent channels, which cut back by 75 percent the number of new low power radio stations that could be authorized and limited the new stations to less populated areas.

FM Frequency and Interference Protection Standards



## End Notes

<sup>1</sup> Radio Advertising Bureau, *Radio Marketing Guide and Fact Book* (2007).

<sup>2</sup> For information on this issue, see Appendix B.

<sup>3</sup> *Creation of a Low Power Radio Service, Report and Order*, 15 FCC Rcd at 2235-46 (2000).

<sup>4</sup> *Creation of a Low Power Radio Service, Report and Order*, 15 FCC Rcd at 2235-46 (2000).

<sup>5</sup> S. Derek Turner, *Off the Dial: Female and Minority Ownership in Broadcast Roles*, Free Press (2007).

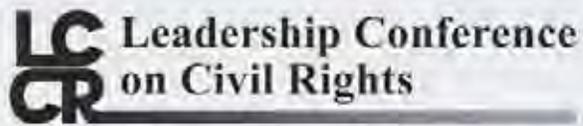
<sup>6</sup> Bob Papper, *The Face of the Workforce*, *RTNDA Communicator* (July/August 2008).

<sup>7</sup> Peter DiCola, *False Premises, False Promises*, *Future of Music Coalition* (2006) at 5.

<sup>8</sup> Peter DiCola and Kristin Thomson, *Radio Deregulation: Has it Served Listeners and Citizens?*, *Future of Music Coalition* (2002).

<sup>9</sup> *Id.* at 7.

<sup>10</sup> Turner, *Off the Dial*.



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