

H.R. 3731 - Enhance and Protect Local Community Radio Act of 2005

H.R. 3731, Enhance and Protect Local Community Radio Act of 2005

The findings of this bill describe how essential community radio is to the country as it deals with ever-increasing media consolidation. The bill also requests a much-needed comprehensive analysis of radio services as the medium transitions from analog to digital broadcasting.

The Enhance and Protect Local Community Radio Act of 2005 would help thousands of American communities to build and enjoy non-commercial, independent radio stations. Low Power FM (LPFM) radio has already allowed local community groups to provide independent news, public affairs, and entertainment to over 600 communities across the country. Churches and ministries, schools and community organizations, use these 100-watt stations for everything from spreading the Gospel to covering PTA meetings.

Many communities, however, have been kept off the air by a law restricting LPFM stations to very rural areas. The law was passed after big broadcasters claimed that these 100-watt stations would interfere with their full-power radio stations in larger towns and cities. But now, a Congressionally mandated \$2.2 million study conducted by the MITRE Corporation has definitely proved that there is room for LPFM on the spectrum without causing airwaves interference.

Rep. Slaughter's bill would repeal the law that kept low-power stations off the air in larger communities, thereby allowing local groups to build thousands more LPFM stations across the country. The bill also describes reasonable guidelines the government can undertake to make sure that the people's airwaves are reserved as much as possible for local community radio now, and as we transition to a primarily digital future.

Q: Specifically, how would this legislation expand community radio?

A: The Act would repeal the Radio Broadcast Preservation Act of 2000 (Section 3), releasing hundreds of restricted frequencies to the American public (Section 4.1). It would ask the FCC to regularly schedule opportunities for

communities to apply for LPFM licenses (Section 4.4) and to study how the transition from analog to digital radio will impact LPFM broadcasters and hopefuls (Section 4.5).

The Act also would ask the FCC to protect LPFM stations that produce 8 hours

or more of original programming from being encroached upon by any full-power FM stations making changes to their licenses, any new full power stations, or any new translator stations (Section 4.6).

Q: Wouldn't building more LPFM stations cause interference to existing full-power stations?

A: The MITRE study proved there was more than enough room for Low Power stations. Even so, the FCC rules for LPFM demand that if a low-power station causes any interference to an existing station, it has 30 days to resolve the interference or go off air forever.

Q: Would this bill restrict reading services for the blind in any way?

A: No. The FCC already protects Reading services for the blind. This bill states again that these vital services must be protected as LPFM expands (Section 4.2).

Q: How would an expanded LPFM service impact translator use across the

United States?

A: Radio stations across the country use translators - unstaffed repeaters - to broaden their coverage. Translator stations are an essential part of broadcasting, but only when they repeat a truly local signal. The bill asks the FCC to use more sophisticated technical licensing options to make the most space on the dial for both translators and for local LPFM stations (Section 4.3.A).

Q: How does this legislation increase localism?

A: This Act asks the Commission to prohibit any one company from repeating its signal more than 20 times through translators, preserving most of the available frequencies for unique, local broadcasts (Section 4.3.B). The Act also asks the FCC to give LPFM applicants planning to broadcast at least 8 hours a day of local programming primary status over unstaffed translators that are repeating a station from far away (Section 4.3.C).

Q: How does this legislation stop illegal trafficking in translator licenses?

A: The Act aims to stop unlawful sales of translator construction permits (CPs) by asking the FCC to ensure that no CPs are voluntarily transferred for translators or booster stations. The Act establishes strict rules for protecting the American public from these fraudulent transfers (Section 4.7).