

Amendment of the Whole, adopted in Board 8-19-03

FILE NO. 031252

RESOLUTION NO.

1 [This resolution supports San Francisco Liberation Radio 93.7 FM and diversity in media
2 ownership.]

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4 **Resolution supporting San Francisco Liberation Radio 93.7 FM and urging Federal,**
5 **State, and Local officials to support policies and practices that encourage diverse local**
6 **non-commercial media.**

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8 WHEREAS, San Francisco Liberation Radio 93.7 FM has provided an invaluable
9 public service to the City and County of San Francisco for the past ten years; and

10 WHEREAS, San Francisco Liberation Radio 93.7 FM has provided a forum for those
11 whose voices are often excluded from the increasingly consolidated corporate media; and

12 WHEREAS, San Francisco Liberation Radio 93.7 FM has remained committed to
13 fostering an informed and engaged public by providing access to a diverse group of local
14 residents, artists, community groups, and public officials; and

15 WHEREAS, San Francisco Liberation Radio 93.7 FM has contributed to a wide
16 diversity of programming including Radio Food Not Bombs, Renters' Radio by the Tenants
17 Union, Labor Line, OutLoud Radio, and the Green Party Radio Show; and

18 WHEREAS, The regulatory structure of the Federal Communications Commission
19 increasingly precludes the expression of alternate and dissonant voices; and

20 WHEREAS, The Federal Communications Commission's most recent reasons for
21 rejecting San Francisco Liberation Radio's license application were based on widely criticized
22 provisions in the Radio Broadcasting Preservation Act of 2000 (RBPA); and

23 WHEREAS, The RBPA contains provisions that would prevent the Federal
24 Communications Commission from considering applications from persons or organizations
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1 who had previously been unlicensed broadcasters and the RBPA also required increased
2 channel separation between new LPFM stations and other broadcast licensees; and

3 WHEREAS, the ban on previously unlicensed broadcasters is under constitutional
4 challenge now pending before the U.S. Supreme Court (Petition for writ of certiorari filed May
5 1, 2003, government brief opposing filed July 7, 2003); and

6 WHEREAS the RBPA provision requiring increased channel separation was, under
7 that law, subject to review by a technical study of potential interference; and

8 WHEREAS the technical study, commissioned by the FCC and conducted by the
9 MITRE Corporation shows that present channel separation requirements are excessive, (and
10 said study is available as a public document at http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6514285083); and

11 WHEREAS, San Francisco Liberation Radio's multiple attempts to obtain an LPFM
12 license have been rejected, most recently without notice by the Federal Communications
13 Commission; and

14 WHEREAS, San Francisco Liberation Radio 93.7 FM has operated without interfering
15 with other radio station broadcasts; and

16 WHEREAS, San Francisco Liberation Radio 93.7 FM has peacefully coexisted with its
17 neighbors throughout its broadcasting history; and

18 WHEREAS, The Federal Communications Commission has delivered a notice of
19 illegal broadcasting to San Francisco Liberation Radio; and

20 WHEREAS, Citizens in a democracy require public access to a diverse range of media
21 voices and messages in order to participate fully in our community's shared social, cultural
22 and political life; now therefore, be it
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1 RESOLVED, The Board of Supervisors of the City and County of San Francisco
2 supports San Francisco Liberation Radio 93.7 FM and other local, non-commercial media;
3 and be it

4 FURTHER RESOLVED, The Board of Supervisors of the City and County of San
5 Francisco urges the Federal Communications Commission not to interfere with the
6 functioning of San Francisco Liberation Radio 93.7FM; and be it

7 FURTHER RESOLVED, The Board of Supervisors of the City and County of San
8 Francisco urges state and local law enforcement officials to refrain from activities that
9 prevent San Francisco Liberation Radio 93.7FM and other diverse local media from providing
10 healthy democratic local media in the San Francisco Bay Area; and

11 FURTHER RESOLVED, The Board of Supervisors of the City and County of San
12 Francisco urge Congress to adopt legislation restoring the cross-ownership ban (newspapers
13 and broadcast media) recently renamed by the FCC, and urge the Congress and the Federal
14 Communications Commission to protect content diversity and press freedom by retaining and
15 strengthening existing media ownership regulations, including regulations that limit the
16 number of stations one owner may hold; and be it

17 FURTHER RESOLVED, The Board of Supervisors of the City and County of San
18 Francisco call upon Congress to exercise its oversight in the area of federal communications
19 policy through public hearings on media ownership issues; and to pursue legislation aimed at
20 protecting democratic media by prohibiting further media consolidation.

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