

Policy Analysis

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With Friends Like These: Why Community Radio Does Not Need the Corporation for Public Broadcasting

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Executive Summary

Congress created the Corporation for Public Broadcasting to fund alternatives to commercial television and radio. Such alternatives include "community radio" stations, stations defined by their devotion to local programming and programming outside the mainstream. Those outlets are usually located in the noncommercial band and funded by listener subscriptions.

But the availability of CPB subsidies has grossly distorted the stations' goals. However well-intentioned, CPB rules pressure community radio stations to replace volunteers with paid staff and to abandon diverse, experimental local programming for more bland fare.

If taxpayer funding for the CPB were eliminated, community radio would not only survive; it could thrive, returning to its traditional bases of support--volunteers and subscriber funding.

Economic barriers to new low-budget community radio stations, such as the price of low-power broadcasting equipment, are lower than ever. But regulatory barriers to entry remain, particularly the Federal Communications Commission's refusal to license stations operating at less than 100 watts. Removing such restrictions would further facilitate a renaissance in alternative radio.

Introduction

Two years ago everyone seemed to have it in for the Corporation for Public Broadcasting, though the critics did not always agree about just what the CPB's sins were. Conservatives assaulted it for promoting socialism, anti-Americanism, even "hate speech."^[1] On the other side of the spectrum, Fairness and Accuracy in Reporting took the Public Broadcasting Service to task for not being sufficiently open to left-of-center voices,^[2] and radical columnist Alexander Cockburn denounced PBS and National Public Radio as "serious ruling-class institutions . . . ideological cement for the elites."^[3]

In Congress, Speaker of the House Newt Gingrich (R-Ga.) and other Republican leaders suggested dropping the CPB from the budget. For some, the concern was financial. For others, it was ideological. Then-senator Bob Dole accused the corporation of "subsidizing hate and anti-Semitism."^[4] His colleague Larry Pressler (R-S.Dak.) claimed that "all [PBS's] favorite people are from the American left" and demanded that stations receiving CPB grants disclose their employees' political affiliations.^[5] Many observers expected Congress to "zero out" the CPB's budget, abolishing or privatizing the corporation.

Instead, the CPB lives on, albeit with slightly less money in the bank, its day of reckoning postponed until 1999. Part

of the credit for that turnaround must go to America's public radio and television stations, which mobilized thousands of listeners and viewers to protest the proposed changes. After all, argued the subsidized stations, if PBS and NPR are not there to bring audiences alternative programming, who will?

Yet public broadcasting existed long before the CPB was created in 1967, and it is entirely capable of surviving the CPB's death. Of particular interest are the independent community radio stations that began to emerge in 1949 and appeared ever more rapidly in the 1960s and 1970s. Community radio stations are devoted to programming outside the mainstream, particularly local programming.^[6]

Community radio may be the only noncommercial radio in this country that is truly "public," relying on local volunteers for most of its programming, financial support, and day-to-day administration and going out of its way to broadcast material that is unavailable elsewhere on the dial. Yet to the extent that the CPB has been concerned with radio--its primary interest has always been television--it has been wary of the community stations' localism, experimentalism, and volunteer base. Indeed, one of the primary rationales for creating the CPB was to replace the scattered array of small stations with a tighter, more centralized public radio system under professional control.^[7]

The original community stations were free of federal subsidy, getting by on a shoestring and a loyal base of local volunteers and donors. Since the 1970s several of those stations have chosen to pursue CPB funds as well. But that money has come with strings attached. Though federal funds have undeniably assisted many stations, they have also encouraged many broadcasters to forget their traditional mission. The CPB has fostered a new professional class within the community radio movement, a group that has accumulated power at volunteers' expense and promoted more streamlined, predictable programming. And while most community broadcasters continue to be grateful for any support their small stations can acquire, others are beginning to wonder if it is worth the price.

There are many good reasons to defund the CPB. It seems wrong to force any taxpayer to fund speech she disapproves of, be it NPR or the Voice of America.^[8] And it is not fair to force low-income taxpayers to underwrite news and entertainment for NPR's generally affluent audience. But there is another problem, less often noted: federal funds inevitably eradicate local diversity and character.^[9]

In the absence of the CPB, we can address small stations' financial difficulties by removing the regulatory barriers that waste broadcasters' resources and keep many stations from even going on the air. So far, "telecommunications deregulation" has offered little to small and noncommercial stations. Changing that would help those outlets without the drawbacks of subsidies.

Radio for the Neighborhood

"Community radio" is an amorphous term, describing many different stations with many different styles of broadcasting, from the Pacifica Foundation's leftist megawatt operations to the smaller and more conservative WVMR in Pocahontas County, West Virginia. Typically, community stations eschew formats, playlists, and other trappings of commercial radio in favor of musical variety and ideologically diverse public affairs shows. Many serve remote rural areas with no other locally based radio stations. Others offer bilingual or multilingual programming for the benefit of immigrants, Indians, or ethnic neighborhoods.

A community radio station is usually licensed to a civic group or an independent foundation formed for the express purpose of operating a station. Thus community stations are distinguished from "institutional" public radio, noncommercial outlets licensed to colleges or other educational institutions (or, occasionally, a municipality). Muddying the distinction somewhat, many universities own two radio stations, one affiliated with NPR, the other operated by students and interested townies. The latter often ape the forms and concerns of community stations, and several belong to the National Federation of Community Broadcasters. On the other side of the coin, some community stations carry selected NPR, or (more often) Public Radio International, programming in the same spirit that they might carry the *BBC World Service* or some other foreign news program.^[10] The essential distinction lies in community radio's local orientation and disdain for professional control. One observer has characterized the difference this way:

"NPR says, 'We know what's good for you.' Community radio says, 'We want to determine ourselves what's good for us.'" [\[11\]](#)

Institutional radio has existed since the 1910s. Community radio-flavored experiments can also be traced back to the medium's early days, [\[12\]](#) but the modern community radio movement was not born until the late 1940s, when Lewis Hill, a disillusioned commercial broadcaster, founded KPFA in Berkeley, California. Hill, a pacifist, had conceived of a new kind of radio station while working in a conscientious objectors' camp in Coleville, California, during World War II. Hill had envisioned a station

that would promote absolutely free discussion in the hopes that such dialogue would identify the roots of conflict and ameliorate them . . . "as like a living room" where people who had fundamentally different attitudes and beliefs would sit, dialogue and work them out. [\[13\]](#)

In 1946 Hill and some like-minded intellectuals created the Pacifica Foundation, and in 1949 KPFA went on the air. The libertarian pacifists who founded KPFA refused government funds as well as commercial advertising, preferring the then-untried notion of turning to their listeners for sponsorship. [\[14\]](#)

The second seminal figure in the development of community radio was Lorenzo Milam, a former KPFA volunteer who founded KRAB in Seattle in 1962. KRAB's "free forum" programming made Pacifica's public affairs broadcasts seem tame: a single day's schedule might include both a special report from the frontlines of the civil rights struggle and a 15-minute show produced by the White Citizens' Council. An excerpt from *Sex and Broadcasting*, Milam's "handbook for starting a radio station for the community," gives the flavor of KRAB's approach to on-air political diversity:

There is a member of the Birch Society, or the SWP [Socialist Workers Party], or the local Conservation group--who has been denied a voice in the community for all of his 50 years. Ask him if he would like to do a 15 or 20 minute commentary for you. Set it up for an exact time. Let him tape it ahead of time if it is more convenient. Your first request should be for a one-time commentary (no interview: just him speaking). If he is great, or even just good, and wants the time--sign him up for 3 months. If he is still good, ask him to stay on. [\[15\]](#)

Like KPFA, KRAB broadcast music unlikely to be heard on other stations: medieval, Renaissance, and early baroque music; experimental jazz; avant-garde compositions; folk music from around the world. Other shows ranged from live broadcasts of city council meetings to original children's programming. The station subsisted on listener contributions, Milam's inheritance, and the occasional grant.

Milam left KRAB in 1968 and became the Johnny Appleseed of community radio, founding new stations in cities and towns around the country--the so-called KRAB Nebula--and advising others on how to do the same. [\[16\]](#) The new stations drew on the *Whole Earth Catalog* strain of the counterculture and its do-it-yourself ethic, adopting volunteer management and local focus as their credo. Some, such as KPOO in San Francisco, saw themselves as voices for disenfranchised racial minorities. Others took root in the countryside. "Since most broadcast frequencies in or near major cities have long been taken," noted historian David Armstrong in 1981, "the growth of community radio has been chiefly in small towns and rural areas." [\[17\]](#) For example,

In 1976, amid an atmosphere which people on the scene later likened to an old-fashioned barn raising, a broad spectrum of community people in Grand Rapids, Minnesota, pitched in to raise the transmission tower of a listener-sponsored radio station. KAXE-FM promised to be a left-of-center station, yet it was partially funded by the local Rotary Club. The Kiwanis Club donated money too, as did the Chippewa Indian nation. These diverse donors were united on perhaps only one thing: they wanted a local, open-access radio station, and they were willing to help make that station a reality. . . . "If we didn't put some conservatives on the board [of directors]," [cofounder] Rich McClear said, "then we weren't really a community radio station. Senior citizens, Native Americans, and far-right conservatives are as disenfranchised from the national media as anyone." [\[18\]](#)

In short, community radio came to represent a third model of broadcasting, different from both commercial and institutional radio, though it overlapped in certain ways with both. In its ideal form, it was broadcasting rooted in civil society, a phrase whose recent transformation into a Beltway cliché should not blind us to the richness of the institutions it describes. In 1975, 25 of those stations formed the National Federation of Community Broadcasters, an organization that now boasts over 200 participating or associate members.

Enter the Corporation

The CPB was born in the wake of the Carnegie Commission's 1967 report, *Public Television: A Program for Action*. As the title suggests, the philanthropists at Carnegie were not particularly concerned with radio. It was only some last-minute lobbying by educational stations that added funding for radio to the Public Broadcasting Act. And it was another three years before NPR was established.

There was, almost from the beginning, some crossover between the two worlds, as reporters and administrators from Pacifica and smaller outlets moved on to positions at NPR. But the groups remained distinct, and their relationship was initially uneasy. Milam denounced the old institutional stations as "bores," calling them a "terrible waste" that "have yet to issue one interesting, controversial, meaningful program in their entire sordid (and expensive) history." NPR was "somewhat less dull," he told community broadcasters, but it still had problems: "The people who run those stations are *scared*. You don't have to be. They are *imitative*. You don't have to be."^[19] The Pacifica stations joined NPR when it was established--and quickly left, convinced that the two groups were pursuing different missions.

Many community stations refused to take CPB money, fearing that federal aid would bring federal dependence. That was, for example, the original position of the Pacifica network, though it reversed itself in the mid-1970s and continues to receive CPB funds today.^[20] Others accepted government subsidies in the same spirit that they might take a grant from a private foundation: nice money if you can get it, but nothing to rely on. Thus, at one point in the early years of the corporation, KRAB applied for and received a one-time, \$7,500 CPB award. The same year it received larger grants from local sources.

Community stations did not begin seeking CPB money in earnest until the mid to late 1970s. At about the same time, the NFCB successfully lobbied to open the Public Telecommunications Facilities Program to subsidize purchases and upgrades of equipment by the independent stations. And many stations, some of which had previously subsisted entirely on volunteer labor, began paying staff with funds available under the Comprehensive Employment and Training Act. (In 1981 that option was closed off with the abolition of CETA.)

But the government's money is not free. To receive a Community Service Grant from the CPB, stations must follow certain rules. At this point, besides meeting reasonable requirements of programming and equipment quality, eligible outlets must have at least five full-time paid staff and must operate at 100 or more watts (250 for AM stations), at least 18 hours a day, seven days a week. In addition, they must receive \$195,000 or more from nonfederal sources. On January 22, 1996, the CPB added a new requirement; as of 1998 qualifying stations will have to demonstrate a minimum level of either listenership (as measured by the Arbitron rating service) or local financial support.^[21] The CPB offers two more programs, its Station Development Grants and Program Acquisition Grants, to plug small stations into the public radio satellite system and help them meet the new standards.

All that seems reasonable--after all, one cannot expect the government to hand out money to anyone who asks for it. But it has created a perverse set of incentives. Community stations that previously got by on listener pledges and local underwriting might be eligible for thousands more--if they hire more full-time staff, increase their broadcast hours, seek more funds, and, under the new rules, make their programming more mainstream in pursuit of higher Arbitrons. The result, as *Democratic Communiqué* editor Jon Bekken has noted, has been to encourage "ambitious expansion programs" that foster professionalization and centralization.^[22] In many cases, stations have received less money in government assistance than they spent making themselves eligible for that support.^[23]

So there is an innate tension here. The limited amount of money the state has to offer requires it to discriminate on some rational basis--if the CPB dispensed funds to every small community station in America, it would have to divide

its budget so finely that no station would receive enough money to justify the corporation's existence.____ So the CPB strives to direct its money to the stations with the most powerful signals and the largest measured audiences and shies away from financing more than one outlet in a single market. But the CPB requirements encourage stations to grow and adopt "professional" values, putting further pressure on the CPB's budget and forcing it to further restrict the flow of money, refueling the cycle yet again. If the CPB's budget is expanding anyway--as it did during the Carter years, for example--the cycle might be slowed and the problem concealed. If the budget is contracting, as it is today, the problem only gets worse. Under any circumstances, the professionalization and expansion cycle is built into the federal subsidies; it cannot be eliminated by minor reforms or by putting a friendlier group of bureaucrats in charge.

Management on the Dole

The CPB's demand for paid staff deserves special attention. The effect of that rule was exacerbated, until 1981, by the availability of CETA money. CETA created a new power within the station: He Who Distributes the Dough. The extreme example was KRAB, which relied more and more on federal funds as the 1970s progressed. "The station managers who were paid by government money liked to put their friends on the payroll," notes one historian. "As a consequence, the KRAB staff became more interested in internal politics and keeping their jobs than in being critical of programming."^[25] A former staffer expands on the point:

Very often the staff didn't know or care about what was going on the air. They cared about getting their friends on or grinding their own particular axes. A lot of them didn't have much of [an] idea of what should be on the radio and why. Their particular way of programming was, "What do my friends want to do? I'll give them programs for all sorts of reasons other than good radio." There was a lack of concern for the needs of broadcasting.^[26]

It takes more than government money to demoralize a radio station. A station united by a particular broadcasting vision can survive, even prosper, with state funds coming in. But even stations that sidestep internal problems must contend with the professional class that has emerged in the broader world of community radio. The NFCB, formed to lobby for community radio's interests within the Beltway, today often seems to do the exact opposite. It is now common for NFCB administrators to denounce the "old hippie paradigm" of diverse programming and volunteer-based management. Paid staff, they suggest, should call the shots.

That came to a head in the late 1980s, when the NFCB and Public Radio International (then called American Public Radio) launched the Blueprint Project, a CPB-financed "consulting initiative." When American Public Radio dropped out, the NFCB rechristened its efforts the Healthy Station Project. According to the program's coordinator, David LePage, the HSP was simply "a curriculum designed to support and create successful local stations," a "method of facilitation and training." The HSP, he asserted,

brings no hidden plan or agenda, no magic wands, no predetermined programming answers. . . . The HSP evaluates a station's health based on its behavior and performance in relation to achieving its mission, not in relation to any particular program format or organizational structure.^[27]

That was a half-truth. The NFCB's advice did vary from place to place, depending on what content it felt would build audiences in a particular locale. But the form that content would take was distressingly--well, blueprintish. The HSP consistently called for reducing the power volunteers had over both station management and the content of their shows. HSP stations were also to embrace predictable strip programming. Their music would be more homogeneous, more "consistent." Oddball shows that didn't immediately fit the new format--the new "mission"--would be dropped, no matter how popular they might be.

The idea, derived from the research of programming consultants George Bailey and David Giovannoni, was that listeners like predictability--that if they tune to a station Monday and hear Public Enemy, then try again Tuesday and get a Gregorian chant, they will not come back. Obviously, there is some truth to that, and many community stations have successfully gained listeners while maintaining their eclectic identity by arranging a more logical flow from program to program. But it is also true that variety can be a station's selling point, its niche, especially if those varied shows are hosted by talented, knowledgeable DJs. Wipe out that variety and fire those hosts, and your station will be

headed for trouble.

One of the first testing grounds for the HSP was WERU in Blue Hill Falls, Maine. Just eight years old, WERU has only six full-time and one part-time paid employees, plus about 150 volunteers. Important decisions are made by all--one person, one vote. Its funding comes mostly from local sources, although it also accepts CPB subsidies.

Enter the HSP in 1993, represented by LePage, Bailey, and a handful of WERU staffers. It did not take long for the project to wear out its welcome. Cathy Melio, WERU's present station manager, recalls what happened:

It seems that their advice was that in homogenizing your programming, you'll have a lot more listeners and thus you'll be more "healthy." And we challenged that. We said diversity is the strength of community radio. Your community is not homogeneous, and thus your programming shouldn't be. [\[28\]](#)

"Their advice was to let the staff make the decisions and volunteers follow them," she adds. "But we stood up for the volunteers." [\[29\]](#) The interlopers were eventually ousted, and the station has continued to prosper, recently moving to new quarters.

Less fortunate was KOPN in Columbia, Missouri. KOPN had hit financial hard times, thanks largely to problems that had beset its onetime cash cow, a fundraising bingo game. It was widely agreed that some sort of change was needed. But what kind of change? The station had operated without any paid staff for its first two years; it then hired one manager. Then, from 1976 to 1980, the number of paid workers jumped to 25--23.5 of their salaries paid out of grants. [\[30\]](#) While they were not necessarily overpaid, there were far more paid staff than community stations traditionally maintained. When the bingo crisis hit, station volunteer Jay Teutenberg pointed out that the previous

year the staff's salaries amounted to \$145,000, approximately half our budget. This year the station will carry forward a debt note of \$20,000, in addition to the other accounts payable. . . . [I]t has been their salaries and their decisions that have created this dire situation. [\[31\]](#)

That was not the HSP's diagnosis. Teutenberg reported that the HSP offered the station a choice between drastically enlarging the budget using federal money or running with no paid staff:

They now use [the budget crisis] as an excuse to take control away from the volunteers and community. . . . David LePage has laid it out in black and white terms, either we can lift the budget to \$400,000, or we can run at \$100,000 with no paid staff or CPB . . . funding. No one has talked much about what it would be like to run without paid staff, just left it as sort of an "unspeakable horror." [\[32\]](#)

And so KOPN took the Healthy Station road, displacing volunteers with paid hosts and homogenizing programming along "Adult Album Alternative" lines.

Different stations reacted to the HSP in different ways. Back in the Blueprint Project days, WRFG, a KRAB Nebula station in Atlanta, found itself in the unlikely position of being told to throw blues programs off the air--in the name of "multiculturalism." The NFCB also advised it to replace volunteers with paid DJs and streamline its programming. Those changes were unpopular with the station's listener-subscribers, which prompted the station to reverse some of the changes. The NFCB then withdrew, claiming that WRFG "wasn't serious" about becoming healthy. [\[33\]](#)

The HSP may have been ultimately beneficial for KVMR in Nevada City, California--but not in the way the NFCB intended. As one staffer reflected,

One of the positive effects of the HSP was the fundamental problems at KVMR were brought out into the open. This was not necessarily the intention of HSP but the anxiety of the volunteer broadcasters about HSP resulted in several meetings of broadcasters, staff, KVMR Board and, at one meeting, David LePage. The result was loud and clear. Not only were the broadcasters worried about HSP changing the community basis of the station, but the broadcasters did not like the content of Board decisions, the manner in which

[\[34\]](#)

the Board made decisions and its arrogant attitude toward the broadcasters and the public.

In other words, by threatening to make KVMR less democratic, the HSP prompted a thoroughgoing democratic revolution.

Several people have praised specific aspects of the HSP, particularly its requirement that individual stations determine their exact missions. But as a whole, the program met resistance in almost all the stations it invaded. Today, it is in remission, though HSP-like efforts continue to occur around the country--most notably, at the Pacifica network. In the meantime, several stations have cut back their participation in the NFCB in protest. Many have joined the Grassroots Radio Coalition, a fledgling organization cofounded by Melio of WERU and Marty Durlin of Boulder's KGNU. And some broadcasters, convinced that their former homes are completely beyond salvation, have started new stations, often illegal, low-watt "micro" radio outlets.

A World without the CPB

Within the world of community broadcasting, attitudes toward the CPB vary radically. At one extreme is Stephen Dunifer of Free Radio Berkeley, who denounces the corporation as "the Agent Orange of grassroots radio."^[35] At the other is Gibbs Kinderman, general manager of WVMR in Dunsmore, West Virginia, who wrote CPB president Richard Carlson in December 1994 to offer his station as ammunition in the funding wars: "Would it be useful to you--for PR purposes--to have an example of a CPB-supported . . . public radio station of, by and for 'ordinary folk'?"^[36]

Clearly, community radio can survive without the CPB to help pay the bills. Micro radio, as we'll see, exists not only without the state's support but without its sanction. Several community stations--including the Pacifica network's high-watt outlets--got by without government money before the CPB arrived on the scene, and some of today's most respected community broadcasters, including KOOP in Austin, Texas, and WFMU in East Orange, New Jersey, continue to reject all assistance from Washington. WFMU is an especially interesting case. For years it was affiliated with Upsala College; its volunteers bought the station when its parent institution went bankrupt. Today it supports itself through listener donations, special events, and sales of unusual books and recordings.

That leaves two questions: Would removing the CPB's umbilical cord be actively good for community radio? And what will become of those stations that rely on the CPB for a significant portion of their budget yet continue to avoid the pitfall of "professionalization"?

The bulk of this discussion stands as my answer to the first question. The CPB has financed some good stations and some good programs, and if it were to disappear, many of those stations and shows would undeniably undergo difficulties. Yet CPB aid has brought with it incentives to professionalize, to centralize, to shy away from diverse programming. Whatever its effect on individual stations, its net effect on community radio has been poor.

The second question is trickier. Past experience shows that the sudden withdrawal of federal funds has damaged stations, particularly stations with predominantly low-income listenerships. When Congress abolished CETA in 1981, several stations were hurt, some badly. KUBO, a bilingual, Hispanic-oriented station in California, went into debt and, eventually, off the air. WVSP, a black-oriented station in rural North Carolina, relocated to an urban, more upscale location.^[37] That hardly means that CETA should not have been ended, but it does suggest that the loss of federal support can be difficult.

How would today's community stations react to the end of federal subsidies? Melanie Silverwolf of KBOO in Portland, Oregon, says that her station could survive that change, but she does not like the idea.

I think it's reprehensible for the federal government to collect the amount of taxes that it does and to provide so little in the way of support for public broadcasting.^[38]

At KBOO, Silverwolf notes, CPB money, at this point about 20 percent of the station's budget,

hasn't really caused us to become more "professional." On the contrary, if the cuts become drastic enough

and we're not able to make up the revenue through local contributions, we'll have to start looking at more desperate measures.^[39]

On the other hand, consider the case of WERU in Blue Hill Falls, Maine. Like WVSP, WERU is a rural station, located far from public radio's stereotypical base. Like KBOO, it has managed to take government funds without becoming professionalized. (Recall that it successfully fended off the HSP and cofounded the Grassroots Radio Coalition.) With about a third of its budget coming from the CPB, one might expect its volunteers to echo Silverwolf's assessment. And many no doubt would. But in 1995, when the *Radio Resistor's Bulletin* asked readers whether the end of the CPB would be a curse or a blessing for alternative broadcasting, WERU interim programming director David Piszcz replied,

The loss of CPB, in a sort of phased withdrawal, could very well be a liberation for community radio. We would of necessity integrate ourselves more fully into the communities which we serve. We would hone our own resources in broadcasting and creative fundraising. Best of all, we would not need to bend or break in the shifting political winds emanating from Mr. Gingrich and company. . . . As long as we are in the position of dependence, we will be a target, just like welfare moms.^[40]

More recently, Jim Foley, music director of KXCI, Tucson, has complained that the CPB's National Program Production and Acquisition Grants constitute a "government bribe to reduce local community involvement in community radio." He adds that, although KXCI gets about 35 percent of its cash income from the CPB, if the station is really serving its community, it ought to be able to get by without federal help.

Loss of NPPAG funds would have little concrete effect on KXCI, since we need to stretch to utilize them at this point. . . . Loss of CSG funds would be more severe, but could be offset by de-professionalization of paid staff, that is, by replacing full-time paid staff with a larger corps of volunteers and/or part-timers.^[41]

For many stations, in Piszcz's words, zeroing out the "CPB all at once would be cruel and unusual punishment. The rural stations . . . need time to adjust and adapt."^[42] But given a transition period, existing stations could well emerge, not just alive, but stronger. And new community radio outlets would likewise thrive--especially if the FCC removed its many regulatory barriers to starting a new station.

Regulatory Barriers and Defiant Pirates

Before 1978 the FCC issued Class D licenses to low-power college and community stations, allowing them to broadcast at only 10 watts in the noncommercial portion of the spectrum. The advantages were many: it cost less money to put small stations on the air, and it was easier to run them on a volunteer basis. But as those stations multiplied, they began to crowd the dial, blocking the expansion of the new public radio network. The CPB--which, you will remember, had already refused to fund low-watt stations--began pressuring the FCC to reconsider its rules. NPR agreed: it saw the 10-watters as an impediment to growth, cluttering frequencies where *All Things Considered* might take root instead.

Community broadcasters were less enthusiastic. When the CPB first requested that the FCC do something about the small stations, the *Alternative Radio Exchange* raised an eyebrow, and then a fist.

The CPB proposal represents the classic conflict between the well-funded, expensive, heavily bureaucratized, heavily narcotized institutions--and the rowdy, slightly seedy, mostly poverty-stricken non-institutional community stations.^[43]

Within a few years, however, the NFCB had joined the CPB chorus, despite the fact that many of its members were 10-watters. The federation's rationale was the same as NPR's: all those 10-watt outlets were preventing larger community stations from entering the spectrum and keeping smaller ones from expanding. Tom Thomas, then-president of the NFCB, recalls the debate within his organization:

There was a kind of knee-jerk reaction within community radio groups that said, "Oh my God, this is going to close off one of the options that's been effective in getting groups on the air." But what was simultaneously happening . . . is that groups that were trying to get on the air were finding themselves blocked, right, left, and center, by large numbers of high school stations, community college stations, and so forth that were basically just being run as adjuncts to school radio clubs and things of that sort but who just wouldn't budge.^[44]

Surely, the NFCB figured, spectrum space could be used more efficiently.

Were it not for existing Class D stations, at least 40–45 new high-power noncommercial FM stations in the top 100 markets could be established and . . . significant power increases could be obtained for another 25–30 existing stations.^[45]

The Intercollegiate Broadcast System noted, in its petition to the FCC, that "the industry" (that is, the CPB and NPR) had devised the proposed rule change without requesting input from any Class D stations. IBS wrote,

The play was staged behind closed doors without Hamlet. . . . At least this conception of the "industry" as excluding half the present educational FM licensees unmistakably demonstrates that diversity would suffer if the educational band were given over to the clique. At most it may demonstrate an anti-competitive combination with the intent to eliminate competition.^[46]

The big stations' collusion sometimes inspired more involved conspiracy theories. One college broadcaster of the day remembers hearing rumors that "some fairly heavy pressure was brought by CPB for [NFCB] to toe the line. The message was that they all ought to be 'professional,' and forcing the 10-watters out would make better radio somehow."^[47] There may be some truth to that. But those NFCBers who favored the change probably believed that they were doing what was best. Federation president Thomas--an important long-time community radio activist who worked a stint at St. Louis's legendary KDNA--had become closely associated with D.C.'s public broadcasting establishment in the 1970s and had helped many community stations acquire federal grants. His group was, among other things, a lobby playing the interest-group game, competing for a piece of a finite electromagnetic pie. Once it accepted the idea that spectrum space should be allocated politically, and once it became convinced that the 10-watters were standing in its members' way, its position was a foregone conclusion.

The FCC summarized the debate in its ruling of June 7, 1978:

A number of parties shared CPB's views of the need for noncommercial FM stations with more substantial facilities to provide effective public radio service throughout the country. Other parties, with different goals in mind, asserted that CPB's proposals regarding 10-watt operations were unacceptable. They argued that often a station can only be started on a small scale and that it is only after its public acceptance grows that it is realistic to expect that such a station could extend its coverage. Closing the door on future 10-watt stations was seen as putting a halt to this process. Also, some parties claimed that certain operations are best conducted with limited facilities. Limited power, they say, is an appropriate way to reach a small community or a neighborhood which is part of a larger city of license. According to this view, operation on a greater scale with substantial facilities could even bring about a separation of the station from its more limited community and thereby cause a loss of effective station/community dialogue and involvement.^[48]

The CPB declared that it had no desire to drive the 10-watters off the air, but in effect, that is what happened. The FCC announced that it would no longer issue licenses to stations of 10 watts or less.^[50]

Few legal stations continue to broadcast at less than 100 watts of power, yet many of the old stations survived. They expanded to 100 watts before the FCC's 1980 deadline, leading some people to argue that the new rule has backfired and only further cluttered the spectrum. The NFCB's prediction that community groups could establish "at least 40–45 new high-power noncommercial FM stations in the top 100 markets" had to be revised downward: 12–20 stations

seemed more likely.[\[51\]](#)

In the meantime, the technical cost of starting a low-power FM station began to drop considerably. By the end of the 1980s, illegal micro stations began to appear, filling the void the outlawed Class D outlets had left behind. Many saw themselves as part of the community radio movement.

The first American micro broadcaster to attract significant media attention was M'banna Kantako, formerly DeWayne Readus, the blind "deprogramming director" of African Liberation Radio, a 13-watt station based in the housing projects of Springfield, Illinois. Founded as the 1-watt WTRA (for Tenants' Rights Association) in 1988, Kantako's station initially focused on bread-and-butter political issues, black nationalist rhetoric, and rap and reggae music. The station enjoyed the benign neglect of the authorities for its first 18 months on the air. But after Kantako started putting victims of police brutality on the air to tell their stories, the local constabulary ran to the FCC, alleging that an unidentified listener had complained to them about on-air profanity. Kantako decided to defy the FCC's order to shut the station down (and its \$750 fine). His station continues to broadcast today, with considerable local participation and support.

Kantako's success inspired others around the country to start micro stations of their own. One of those people was engineer Stephen Dunifer, proprietor of Free Radio Berkeley since it first went on the air in April 1993. On January 20, 1995, U.S. District Court judge Claudia Wilkin refused to grant the FCC an injunction to shut down Free Radio Berkeley, citing constitutional concerns. Since then, micro radio has existed in a legal limbo, not quite legal but not quite illegal either. The number of stations in operation has mushroomed, though for obvious reasons it is difficult to track the number of active pirates.[\[52\]](#) The stations' expansion was helped along by Dunifer, who began selling transmitter kits to anyone interested. His prices indicate just how low the cost of starting a small station has fallen: a 0.5-watt package for \$285, a 6-watt package for \$320, a 15-watt package for \$410, a 40-watt package for \$480.[\[53\]](#)

Are the micro stations filling an important niche, like the legal community stations before them? Some think not. A study in *Journalism Quarterly* found that the programming on unlicensed radio stations does not differ significantly from that on licensed outlets, except for being skewed toward rock and comedy--that is, toward the material preferred by the young. But those data are not entirely trustworthy. For one thing, the majority of the broadcasts surveyed were shortwave pirates, not locally oriented micro stations. For another, broadcasts made after 1992 were excluded--a serious problem, since by all accounts the micro movement was only beginning to swell at that date.[\[54\]](#)

A quick survey of micro stations that have established, or are trying to establish, a permanent, audible presence reveals that they are indeed trying to present programming that would not be heard elsewhere. The most obvious examples are African Liberation Radio and Free Radio Berkeley, both of which present political material unlikely to be heard on mainstream radio. Other, less well known pirates' goals are explained on Web sites. Some of them present political programming from outsider perspectives: "progressive," "patriot," black nationalist, and so on. Others advertise their commitment to musical variety and unfettered free speech.

Even those with fairly traditional approaches to broadcasting usually engage in rather radical criticisms of mainstream radio fare. Consider this prospectus from Boston's EB101:

The station's music format is very unique, by today's standards. Why??? Because I got tired of all the "Mixes, Varieties, Lites, and Classic" boring formats. Each one of them becoming more and more irritating and fragmented, and lacking "localization." In part, thanks to the Telecommunications Bill of 1996 that allowed more consolidation of Radio Groups than ever. A disaster to the radio business as far as it being a viable media!

On EB101, you'll hear quite the "opposite" as compared to what else comes out of your radio dial, for example: Space Hog, Redd Rascal, Dave Mathews Band, Tower of Power, Elton John, and the Christian band DOXA. The station is not afraid to play album cuts that no one else plays by groups such as Steely Dan, Private Lightning, Beatles, XTC, Earth, Wind, & Fire, New England, Sweet or even The Guess Who. I've even heard the Brady Bunch, the Partridge Family, Patrick Hernandez, LaFlavour, Voyage and trips back to the Disco/Soul

days of radio. So, you even get a chance to dig out those "dancin' shoes" again! And sometimes we break away from the music to TALK to the Block. And it all happens here for you the neighbors! EB101.3 FM-Stereo, what a concept.^[55]

At first glance, it's hard to think of a station that plays Elton John and the Beatles as an alternative to the mainstream. Those are, after all, two of the most popular recording artists of recent history, and many of the other acts listed are not far behind. Yet by putting their musical enthusiasms before rigid formatting, by broadcasting without joining the licensed broadcasting profession, and by taking the time to "talk to the block" (its signal does not reach beyond its neighborhood), even EB101 offers an alternative to the standard commercial and NPR models of radio, with their harsh hierarchies and strict cleavage between programmer and consumer.

Micro Radio Abroad

International precedents show how micro radio can flourish in the absence of legal barriers. Italian radicals began constructing illicit stations during the cultural and political upheavals of the 1970s. In 1976 the courts ruled that the government could not shut the pirates down. In fact, the jurists concluded, *all* government regulation of local broadcasting was unconstitutional. The airwaves were instantly opened to programming of every conceivable hue; Italy is probably the only nation ever to have hosted a 24-hour all-chant Hare Krishna radio station.

The Italian experience inspired other would-be broadcasters to take to the air. In France, guerrilla stations began broadcasting in 1977, prompting a severe police crackdown. Other illegal stations emerged in Belgium, the Netherlands, Germany, and other countries, to be met with either repression (in Germany, the police have been known to confiscate citizens' radios if they are caught listening to illegal stations) or limited legalization. No nation adopted Italian-style deregulation.

One country has come close, though, albeit by accident. In Japan a group of artists and activists interested in the Italian experience found an intriguing loophole in the Japanese radio law: to allow operation of TV remote controls, garage-door openers, and the like, unlicensed broadcasts "below 15 microvolts per meter at the distance of 100 meters from the transmitter" are legal. One of the experimenters, writer Tetsuo Kogawa, explains what happened next:

At first this seemed to have nothing to do with free radio. However, when we happened to examine a tiny FM transmitter, it turned out to be much more than a toy; its broadcasting wave theoretically could cover a .3-mile radius in the city--which in a densely populated area contains 20,000 residents, all potential listeners.^[56]

Soon, hundreds of mini FM stations were on the air, some conventional and commercial, some wildly experimental. (Radio Komedia Suginami, for example, was based in a coffeehouse; anyone in the shop was welcome to join the on-air discussion.) Mini FM became a fad, much like citizens' band radio in the United States in the 1970s--and, like CB, it attracted at least as much pointless, egotistical babble as good community radio. But as the fad died down, the interesting experiments remained. In 1993 the Japanese government deregulated radio still further, easing the licensing requirements for 1- to 10-watt stations. Surveying the results, *Radio World* magazine reported, "Unlike established radio stations that try to please all tastes, the low-wattage FM stations are doing all sorts of things the large stations would never dream of."^[57] Now Sony and other companies have started to sell relatively inexpensive "community FM sets," with all the equipment you need to start broadcasting.

Canada, too, deserves our attention. There, the government not only allows low-power radio stations in distant Indian communities but makes it very easy to establish them. Instead of the United States' expensive, delay-ridden licensing process, indigenous licensees need only fill out a simple three-page form.

Satellites vs. the Internet

Just as technological developments have lowered the cost of starting new stations, they are lowering the costs of

sharing programs. The Internet is beginning to emerge as an inexpensive and decentralized alternative to public radio's satellite system. That marks a sea change.

The growth of satellite programming within community radio has been tied to the growth of the CPB. Several stations, such as KSER in Everett, Washington, and WEFT in Champaign, Illinois, use CPB money exclusively for their national programming, acquired for the most part via satellite. In those two cases, the CPB/satellite influence on station independence has been minimal. As WEFT volunteer Paul Riisman notes, "CPB has not 'professionalized' WEFT . . . because we don't rely on it. Its loss would only affect our national programming and leave all our local stuff intact."^[58] At other stations, unfortunately, it has done more damage. Satellites have been a centralizing force within community radio, disempowering volunteers and encouraging greater reliance on CPB funds and programs. For example, the CPB-financed *World Café*, described by WFMU station manager Ken Freedman as "freeform in a Volvo,"^[59] has replaced locally produced (and usually better) shows on many community stations.

In the past, community stations usually exchanged programs via cassette tape, a decentralized but slow process. Bekken describes how satellite economics intensified the drive to national programming:

Unlike tape exchanges, satellite transmission makes possible rapid transmission of programming, particularly for the handful of stations with the facilities to put programs onto the satellite. With tape-based distribution each program is individually purchased or exchanged, encouraging reliance on local production. Flat-rate satellite access charges and federal funding transform the economic and organizational constraints on national programming. Once a station has committed resources to meeting the annual access fee it costs little more to carry additional externally-produced programs.^[60]

Meanwhile, it is relatively expensive to *put* a show on the satellite, so the programs that participating stations broadcast tend to be produced by relatively well funded, institutional sources.

The Internet could change all that. RealAudio will soon allow community and micro stations to exchange programs almost as rapidly and at much lower cost. One group, the A-Infos Radio Project, plans to put such programs on the Net for free, allowing stations to pick and choose among a variety of shows to download and broadcast. As the Net's speed increases, it should become easier and easier for independent producers to distribute their programs as quickly and as far as their better endowed competitors on satellite.

Letting Radio Thrive

When the Grassroots Radio Coalition held its first conference last year, the organizers invited Lorenzo Milam to attend. He declined. "I have lots of funny stories to tell," he explained,

but they all date back to 1968, when someone came into the studio of KRAB and tried to punch out our resident Dylan Thomas, because he did such a bad job of reading poetry on the air (the invader said). This would make little sense to the present generation of community radio people because (1) they would never have a Dylan Thomas reading live on the air, and (2) their doors are always locked to keep the public outside.

Milam did, however, have some advice for the conferees:

Now NPR and the FCC and PBS and the commercial broadcasters have finally, and at last, perverted the Communications Act of 1934 so that there is no way in the world--outside of you and me handing over a check for \$20,000,000 to some existing broadcaster--for us to get on the air, legally, in any of the top 100 markets. Thus I highly recommend going illegal.^[61]

As we have seen, hundreds of Americans have done just that, setting up small stations in defiance of FCC regulations. As Congress considers its options with regard to public broadcasting, it ought to think about starting by making micro radio legal. And not just legal: the long delays, the heavy paperwork, the expensive legal labor involved in starting a new station should be slashed. The best way to do that would be for the FCC to simply allow stations that broadcast

over unused frequencies to continue as those frequencies' common-law owners, stepping in only when they interfere with another operator's signal.^[62]

Granted, that might not do much good in those markets, such as Seattle and San Francisco, where all the available spectrum has already been taken. But the coming shift to digital TV will free a lot of bandwidth, much of which might be used for audio transmission. In that context--deregulated micro radio, more spectrum space--Congress might again take up the issue of defunding the Corporation for Public Broadcasting.

In light of Piszcz's warning, many stations might need a transition period, perhaps to last until new bandwidth is available. But transitional funds should be earmarked for the small, rural stations that need them most, as opposed to the enormous NPR and PBS operations that mostly serve well-to-do urban and suburban audiences. Telecommunications deregulation is supposed to be in vogue. It should be extended to community radio.

Money can be put to many uses, and good people at good radio stations have done some good things with CPB cash. But subsidies come with perverse incentives--incentives that outlive the intentions of an institution's founders. If community radio is deregulated, it will more than survive the death of the CPB; it will thrive, stronger, its feet more firmly planted in its volunteer base.

Notes

1. See, for example, "Smear Campaign," *Comint: A Journal about Public Media* 4, no. 1 (Autumn 1993): 3-4 (attacking the CPB for funding "messages of racial and religious hate").
2. "PBS' Missing Voices," *Extra!*, June 1992.
3. Alexander Cockburn, "Beat the Devil," *Nation*, March 6, 1995, p. 299.
4. Quoted in "Smear Campaign," p. 3.
5. Pressler quote from interview on *Technopolitics*, November 29, 1994.
6. Community stations are usually located in the noncommercial band. Some of the oldest are located in the commercial FM band, although they are noncommercial licensees. As such, they are not permitted to run ads, although they may accept contributions and transmit "underwriting announcements." Most of their funding comes from listener subscriptions.

There is no reason, however, why commercial stations could not adopt community-radio-style programming. KDNA of St. Louis, Missouri, for example, was originally licensed as a commercial station, offering a community radio format but also accepting advertising, according to Tom Thomas, a former employee of KDNA and cofounder of the NFCB, in a personal interview on June 11, 1997. Eventually, the station stopped accepting advertising and relied entirely on listener support but retained its commercial license. KDNA went off the air in June 1973.
7. See Herman W. Land, *The Hidden Medium: A Status Report on Educational Radio in the United States* (New York: National Association of Educational Broadcasters, 1967). This report deserves most of the credit for Congress's decision to include support for radio in the CPB's mission.

8. That raises some interesting First Amendment questions that fall outside the scope of this paper. For an argument that the CPB's very structure implies prior restraint and, hence, is unconstitutional, see Note, "Freeing Public Broadcasting from Unconstitutional Restraints," *Yale Law Journal* 89 (March 1980): 719.
9. Community stations are not the only recipients of CPB funds that face an incentive to centralize. In 1987, 60 percent of public radio programs were locally produced. Today, most are not--and the ratio continues to tip in national programming's favor. Ralph Engelman, *Public Radio and Television in America: A Political History* (Thousand Oaks, Calif.: Sage, 1996), p. 127. Engelman adds:

The financial crunch experienced by many public radio stations . . . was in part self-inflicted, the result of heavy fees for NPR and APR [American Public Radio] that precluded providing greater resources for local service. Indeed, the federal system of public radio stations consists largely of CPB-qualified stations whose identity is based primarily on national programming provided by NPR and APR in contrast to community radio whose priorities are independent and local service.

10. Indeed, if they carry the BBC, they do so via PRI.
11. George Stoney, quoted in David Armstrong, *A Trumpet to Arms: Alternative Media in America* (Los Angeles: J.P. Tar-cher, 1981), p. 216.
12. Much local radio of the 1920s resembled the community radio of today. See Susan Smulyan, *Selling Radio: The Commercialization of American Broadcasting, 1920-1934* (Washington: Smithsonian Institution, 1994). Also noteworthy were WCFL (in its original incarnation, the voice of the Chicago Federation of Labor) and WBKY (a short-lived, university-sponsored experiment in community-based broadcasting in the Kentucky Appalachians).
13. Matthew Lasar, *From Dialogue to Dissent: The Pacifica Foundation and the Cold War, 1942 to 1964* (Ph.D. diss., Claremont College, 1997), p. 21.
14. Early stations had experimented with that approach, and some religious broadcasters had used it sporadically in subsequent years, but Hill was the first person to try financing a radio station almost entirely from listener subscriptions.
15. Lorenzo Milam, *Sex and Broadcasting: A Handbook for Starting a Radio Station for the Community*, 4th ed. (San Diego: Mho & Mho, 1988), p. 70.
16. KRAB continued broadcasting until 1984.
17. Armstrong, p. 215.
18. Ibid.

19. Milam, p. 233.
20. A strong case can be made, however, that Pacifica is no longer a community radio network.
21. Corporation for Public Broadcasting, "Corporation for Public Broadcasting Adopts New Performance Standards for Public Radio Grantees," Press release, January 22, 1996. The second option--demonstrating local financial support rather than listenership--was added only after several small stations protested the change.
22. Jon Bekken, "Community Radio at the Crossroads: Federal Policy and the Professionalization of a Grassroots Medium," unpublished manuscript on file with the author, November 1996.
23. Jon Bekken, "The End of the CPB?" *Radio Resistor's Bulletin*, March 1995, at <http://www.hear.com/rw/feature/rrb.html>.
24. That was not true when the CPB originally concocted its Public Radio Plan in 1972, as only eight community stations existed then. Shortly after the corporation released its plan, John Ross, station manager of Portland's KBOO wired the CPB's Washington director, Tom Warnock. Ross argued that the station that comes closest to the plan's stated ideal of noncommercial radio is

"the true community station with no institutional ties. . . . [and] a distinctive sensibility which reflects its values while developing a style that is highly listenable and stands out for its fresh, natural sound."

Yet the CPB ignored such operations.

The Public Radio Plan describes a station operating on an average current budget of more than \$120,000. KBOO operated last year on less than \$500 a month. . . . The plan's recommendations for financial support of qualified stations seems to be geared to allow the already large station to grow larger while the small station has to stay where it is.

Milam, pp. 273, 275.

25. "A Short History of KRAB (FM), Seattle: Listener Sponsored Radio," unpublished manuscript, n.d., p. 24.
26. Stuart Witmer, quoted in *ibid*.
27. *Community Radio News*, August 1994, p. 1.
28. Cathy Melio, personal interview, January 8, 1997.
29. *Ibid*.

30. Bekken, "Community Radio at the Crossroads."
31. Jay Teutenberg, "KOPN-FM, Columbia, Missouri, Community Radio," *Radio Resistor's Bulletin*, December 1993, at <http://www.hear.com/rw/feature/rrb.html>.
32. Ibid.
33. Don Jacobson, "Experience Talks about the HSP," *Radio Resistor's Bulletin*, December 1994, at <http://www.hear.com/rw/feature/rrb.html>.
34. Ibid.
35. Eric Weisbard, "Interview: Stephen Dunifer," *Spin*, May 1994, p. 74.
36. Quoted in Jacqueline Conciatore, "A West Virginia Station Is 'Poster Child' to Counter *Masterpiece Theatre* Image," *Current*, January 16, 1995, p. 1. Just two years before, Kinderman had complained that public radio was "a 'country club' of privileged stations, jealously guarding its portals against undesirables who share neither its style or its high-culture purpose," but that that might be changed if NPR would "share the CPB wealth with a variety of smaller, poorer stations who have a different mission and serve less affluent audiences." Gibbs Kinderman, "Proposals Disappointing," *Current*, February 17, 1992, p. 17. It thus seems likely that Kinderman's 1994 letter was an effort to push the CPB into a public position that would require it to disburse its money more equally. Given the corporation's increasing restrictions on which stations may receive its funds, the West Virginian's gambit appears to have failed. Kinderman says his station could survive without the CPB's money, but that it might have to cut back on local news, as it uses CPB funds to pay its reporters.
37. Both examples are taken from William Barlow, "Community Radio in the US: The Struggle for a Democratic Medium," *Media, Culture, and Society* 10, no. 1 (1988): 81, 96-98.
38. Melanie Silverwolf, personal interview, March 14, 1997.
39. Ibid.
40. David L. Piszcz, "Is There Life after CPB?" *Radio Resistor's Bulletin*, March 1995, at <http://www.hear.com/rw/feature/rrb.html>.
41. Jim Foley, personal communication, March 16, 1997. Foley is less than sanguine about other stations' willingness to follow that path: "Elimination of CPB funding . . . is less likely to lead to a resurgence of local content and active participation, than to further homogenization of national culture through the commercialization of all media. In short, I doubt that a realistic potential for voluntarism of the sort I might prefer exists in the contemporary United States, and that CPB/NPR, for all its warts, might well be better than nothing." He may be right. In that case, though, the prospects for any community radio in the United States are dim, with or without federal support.

42. Piszcz.
43. *Alternative Radio Exchange*, July 12, 1972, quoted in Edd Routt, James McGrath, and Fredric A. Weiss, *The Radio Format Conundrum* (New York: Hastings House, 1978), pp. 277-78. The Intercollegiate Broadcast System--an association of student-run college stations, most of which held Class D licenses--struck a similar note: "Professionally produced material may be pedantic or irrelevant while the product of less-equipped but more inspired staff can be bright and vital." Petition of the Intercollegiate Broadcast System to the FCC, Docket 20735, filed June 26, 1972, quoted in Scott M. Martin, "Educational FM Radio--The Failure of Reform," *Federal Communications Law Journal* 34 (Summer 1982): 445n. 75.
44. Tom Thomas, personal interview, April 17, 1997.
45. Federal Communications Commission, Second Report and Order, *In the Matter of Changes in the Rules Relating to Noncommercial Educational FM Broadcast Stations*, 69 F.C.C. 2d 240, 246 (1978).
46. Petition of the Intercollegiate Broadcast System to the FCC, quoted in Martin, p. 443n. 65.
47. David Josephson, personal communication, April 2, 1997.
48. Federal Communications Commission, Second Report and Order, p. 248.
49. More precisely, it announced a freeze on new 10-watt licenses--the decision became permanent only later.
50. The new rules did not apply in Alaska, which organizes its FM spectrum differently. The FCC did not adopt some of the CPB's proposals--most notably, its request for programming controls.
51. Martin, p. 431.
52. The Decatur, Illinois, *Herald and Review*, in an article about local pirate Napoleon Williams, estimated that between 200 and 400 are in operation in the United States right now. David Burke, "FCC Cracking Down on 'Pirate' Stations," *Herald and Review*, January 12, 1997, p. 5A. In any event, the number is definitely growing.
53. Stephen Dunifer, "Free Radio Berkeley: Update and Information," *Free Radio Press*, Fall 1996, at <http://www.hear.com/rw/feature/rrb.html>.
54. Steve Jones, "Unlicensed Broadcasting: Content and Conformity," *Journalism Quarterly*, Summer 1994, p. 395.
55. <http://www.eb101.com> (April 1997).

56. Tetsuo Kogawa, "Free Radio in Japan: The Mini FM Boom," in *Radiotext(e)*, ed. Neil Strauss with Dave Mandl (New York: Semiotext(e), 1993), p. 93.
57. Quoted in "Micro Radio Legalized in Japan," *National Lawyers Guild Committee on Democratic Communications Newsletter*, July 1995, p. 3.
58. Paul Riisman, personal communication, March 14, 1997. WEFT, which in the past heatedly debated whether to pursue CPB grants, today receives less than 5 percent of its budget from the corporation.
59. Ken Freedman, personal interview, January 6, 1997.
60. Bekken, "Community Radio at the Crossroads."
61. Conference materials, Grassroots Radio Conference I, 1996.
62. Indeed, there's no reason for the FCC to be the agency that steps in. Why not treat interference like any other form of trespass? There is legal precedent for that, though it was quickly overshadowed by the creation of the FCC's forerunner, the Federal Radio Commission. See Louise M. Benjamin, "The Precedent That Almost Was: A 1926 Court Effort to Regulate Radio," *Journalism Quarterly*, Autumn 1990, p. 578. For a broader discussion of the issue, see Thomas W. Hazlett, "The Rationality of U.S. Regulation of the Broadcast Spectrum," *Journal of Law & Economics* 33 (1990): 133.