



American Friends Service Committee
Pacific Mountain Region

Central Valley Programs Office

Before the
Federal Communications Commission
Washington, D.C. 20554

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AUG 02 1999

FCC MAIL ROOM

In the Matter of)

MM Docket No. 99-25

Creation of a Low)

RM-9208

Power Radio Service)

RM-9242

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COMMENTS OF
THE AMERICAN FRIENDS SERVICE COMMITTEE
FILED ON BEHALF OF ITSELF AND THE BELOW LISTED MICRO-
BROADCASTERS, CONCERNED ORGANIZATIONS, AND INDIVIDUALS

I am writing on behalf of the American Friends Service Committee (AFSC) regarding proposed FCC regulations that would apply to those who have operated pirate radio stations. It is our understanding that these regulations would exclude such persons from ever receiving a license to operate a low-power FM radio station under provisions now being considered by the FCC.

We are already on record in support of the proposal to provide inexpensive licenses for low-power FM stations. We commend the FCC for entertaining this possibility which would vastly increase opportunities for alternative voices on the air that reflect the true diversity of life and thought in communities throughout the U.S.

However, the proposal to prevent former pirates from ever receiving a low-power FM license strikes us as much too general in its underlying premise that all radio pirates are the same. We believe that many so-called pirates were in fact well-meaning and responsible individuals who were both protesting the monopoly of the airwaves by well-moneyed interests as well as providing a needed local service. In short, many were practicing carefully considered and conscientious civil disobedience.

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The AFSC, as a Quaker organization, has on many occasions supported those who have engaged in non-violent civil disobedience. It has itself engaged in such action, most recently in connection with the bombing campaign in Yugoslavia. Martin Luther King's now-famous essay in defense of civil disobedience, "Letter from a Birmingham City Jail" was first printed and distributed by the AFSC in 1963. We recognize that civil disobedience is sometimes the only effective means at hand for resisting unjust laws or regulations by those who are otherwise powerless or unable to afford legal representation.

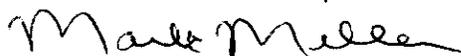
We do not shrink from civil disobedience—nor do we condone it easily. We recognize the fragility and importance of law as well as its power to preserve peace among disparate individuals and groups. FCC regulations, for example, should never be cavalierly and willfully tossed aside to satisfy an individual's need for attention or to disrupt the communications of others.

It is our belief, however, that many so-called pirates were individuals who felt compelled by the force of their own consciences to resist regulations that restricted the public airwaves to primarily well-financed or commercial interests. We believe that they were acting to provide the *means* for free speech on the public airwaves. In that role they were not engaging in trivial, ego-centered, or destructive pursuits. They were not criminally minded—they were civic-minded. They, of all people, should be among the first to secure legal license to broadcast over low-power FM stations.

We are confident that the FCC is capable of well-reasoned discernment as it reviews the records of low-power FM license applicants. We are confident that it can identify those who were reckless, willful, or truly criminal in their operation of pirate stations. We understand that it will require some effort and time. We believe that this effort and time will serve justice infinitely more than a blanket rule that restricts all former pirates from the air. A blanket rule will promote more piracy, not less. A blanket rule will punish many whom, in a final reckoning, will be regarded as conscientious citizens and not criminals.

Thank you for your consideration of our comments.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark Miller". The signature is written in a cursive, slightly slanted style.

Mark Miller,
Program Director