

On May 10, 2001, in North Richland Hills, TX, David Israel Avery, 17, was charged with criminal mischief for allegedly attacking two gay teens.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2498. A bill to provide for a 10-year extension of the assault weapons ban.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MURKOWSKI:

S. 2504. A bill to make improvements to the Arctic Research and Policy Act of 1984; to the Committee on Governmental Affairs.

By Mr. MCCAIN (for himself and Mr. LEAHY):

S. 2505. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 1840

At the request of Mr. CONRAD, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1840, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by States.

S. 2015

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2015, a bill to prohibit energy market manipulation.

S. 2072

At the request of Mr. CRAIG, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2072, a bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable tax credit for elder care expenses.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself and Mr. LEAHY):

S. 2505. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM serv-

ice; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Madam President, I rise today to introduce the Low Power Radio Act of 2004. This bill would allow the Federal Communications Commission (FCC) to license Low Power FM stations on third adjacent channels to full power stations without limitations and eliminate the requirement that the FCC perform further testing on the economic impact of Low Power FM radio. Additionally, the bill seeks to protect stations that provide radio reading services, which some have suggested are more susceptible to interference than other stations because they are carried on a subcarrier frequency. I am pleased to be joined in this effort by Senator LEAHY who is a co-sponsor of the bill. I thank him for his support.

This bill would also right a serious wrong. Four years ago, Congress wrongly delayed the full implementation of a new community based radio service called "Low Power FM" due to broadcasters' grossly exaggerated claims of interference. The FCC recently found, based on data from an independent engineering study, that the broadcasters' claims of interference are groundless. As required, the FCC sent a report to Congress in February describing the study's results and suggesting legislative actions to further the growth of Low Power FM. This bill would implement these recommendations.

In January 2000, the FCC launched Low Power FM radio service to "enhance locally focused community-oriented radio broadcasting." Low Power FM stations are just that—low power radio stations on the FM band that generally reach an audience within a 3.5 mile radius of the station's transmitter. In rural areas, this signal may not reach many people, but it provides rural citizens with another media outlet—another voice in the market. In urban areas, this signal may reach hundreds of thousands of people and provide not just local content, but very specific neighborhood news and information.

Localism is increasingly important in today's changing media landscape. Rampant ownership consolidation has taken place in the radio industry since passage of the Telecommunications Act of 1996. Since that time, many Americans have complained that the large media conglomerates fail to serve local communities' interests and seem to use their local station license as a conduit to air national programming. Low Power FM was introduced, in part, to respond to such complaints.

Low Power FM is an affordable broadcasting option for many community organizations because a full power radio station license is extremely expensive and broadcast spectrum is very scarce. In 2003, the average cost to acquire a commercial radio station was more than \$2.5 million dollars.

Between May 1999 and May 2000, the Commission received over 3,400 applica-

tions for Low Power FM stations from non-commercial educational entities and community organizations. However, before the Commission could act on many of the applications for this new community service, broadcasters frightened legislators into halting the full implementation of Low Power FM. Broadcasters masqueraded their true concerns about competition from a real local radio broadcaster in thinly veiled claims of interference.

Due to the broadcasters' subterfuge, Congress added language to a 2000 appropriations bill requiring the FCC to hire an independent engineering firm to further study broadcasters' claims of interference. Well, the results are in! I am not happy to report that after spending almost two years and over two million dollars, the independent study revealed what the FCC and community groups had said all along: LPFM will do no harm to other broadcasters. The study has stripped the broadcasters of their veiled claims by concluding that Low Power FM stations on third adjacent channels would cause virtually no interference to other broadcast stations.

The broadcasters masquerade has now cost American taxpayers over two million dollars. This was two million dollars taken from the FCC's budget that could have been used to further study efficient spectrum use to promote public safety needs, process license applications faster, hire more high quality engineers for the FCC and much more. Perhaps, we should send a bill to the National Association of Broadcasters. Nevertheless, that is the past, and it is time to focus on the future.

That brings us to the future of Low Power FM. The FCC, as required by the appropriations language, has reported the study's findings to Congress and recommends full implementation of Low Power FM. This bill simply follows the FCC's recommendation: begin licensing Low Power FM stations on third adjacent channels to full power stations without limitations. Additionally, the bill seeks to protect full power stations that provide radio reading services. It is estimated that about 1.1 million people in the U.S. are blind, and it is important to ensure this helpful radio reading service remains interference free.

The enactment of this bill will immediately make available a number of Low Power FM frequencies. By some estimates, Congress' legislation delaying the full implementation, which mostly affected metropolitan areas, led to the elimination of half the Low Power FM applications filed during 2000.

For example, Congress' action eliminated the LPFM slot in Fresno applied for by El Comite de los Pobres. The group had hoped to address the dearth of local programming for the Latino community by airing bilingual coverage of local issues. New Orleans' Music Business Institute's application