

Dear Colleagues: Your response to the COVID-19 crisis is deeply inspiring. Across formats, across the country, you have created remarkable and innovative ways to sustain communities and keep audiences informed and connected. This *Washington Update* summarizes several recent developments across a number of policy fronts:

- Plans for an additional CPB request for \$175 million emergency relief for public broadcasters
- Public Radio Music Day this Thursday, April 16, 2020
- Copyright Royalty Board approval of SoundExchange blanket license for public radio
- FCC adoption of final Report & Order reallocating and repacking C-band spectrum
- FCC release of draft rules to share 6 GHz band (C-band uplink) spectrum for April vote
- FCC rulemakings for all-digital AM broadcasts and ATSC 3.0

Request for Additional \$175 Million for Public Media in Coronavirus

“Package 4” (aka CARES 2.0): As Congress and the Administration negotiate an additional relief package in response to the coronavirus pandemic, we’ve been working closely with our partners in the Corporation for Public Broadcasting (CPB) and public media system to prepare and support a request for an additional \$175 million in emergency funding for public media. We anticipate action early this week to request the \$175 million balance of CPB’s original \$250 million request to Congress last month.

Please respond to the NPR/SRG/Greater Public financial impact survey to support this funding request! You may have received the survey more than once but you only need to respond once. Your participation will greatly assist our efforts to refine and communicate the financial impact (projected revenue losses and cost increases) of the coronavirus crisis -- and the consequences of this dire financial situation on public radio station operations, programs, and personnel. The survey information will be used in aggregate to make a case for urgently-needed funding from government and

philanthropic institutions, to guide such investments in the most effective way, and to inform individual public media organizations in their own planning and budgeting. Each organization sent a survey to station GMs; if your station hasn't completed the survey, please check your A-REP inbox for the survey link.

We've also been working with NPR Communications and Member Partnership teams to compile examples of public radio's vital news, information, listener support and public service in response to the COVID-19 crisis, and posted highlights [here](#). We're using this summary in our congressional outreach to show stations' critical public service. This is a small sample of station activities and a work in progress; if your station has special programming or activities to feature, please let us know.

Public Radio Music Day is this Thursday! The noncomMUSIC Alliance is hosting the inaugural [Public Radio Music Day on April 16, 2020](#) -- a nationwide celebration uniting public radio music stations, fans, artists, and others to showcase public radio's special role in America's music scene and in our communities. Our goal is to raise awareness about how public radio music supports, serves and connects audiences, artists and communities – now more than ever, and in profoundly new ways, during the coronavirus pandemic.

If your station plays music as a meaningful part of your programming, please consider participating in Public Radio Music Day.

- Learn more at [PublicRadioMusicDay.org](#) and [sign up here](#).
- Find prepared online ads, on-air promos, social graphics, scripts, and other resources on the noncomMUSIC [Alliance partner](#) portal.
- Spread the word! Include **#LovePublicRadioMusic** and tag **@noncomMUSIC** in your social media. Tagged posts feed into the [PublicRadioMusicDay.org](#) website.

More than 75 stations in nearly 30 states have signed up to participate in PRMD so far. Last week, we hosted a webinar with nearly 100 public radio music colleagues to share ideas, goals, resources, and re-worked plans in response to the coronavirus crisis, as we head into the final stretch. PRMD efforts are focusing on special online and on-air programming, appropriate to the times and as stations are able.

Music stations are exploring virtual concerts, exclusive live streams, prerecorded fan favorites, artist and listener testimonials, and handcrafted playlists to provide a place of calm, comfort and connection. NPR is running Public Radio Music Day web ads on NPR.org.

Copyright Royalty Board Approves SoundExchange Settlement: As we [reported last November](#), NPR once again collaborated with CPB to negotiate a new five-year blanket music license agreement with SoundExchange for non-interactive streaming of sound recordings. We are tremendously grateful to CPB for its continuing support in extending this essential agreement for another five years. This arrangement, and CPB's leadership, are vital to public radio's service to America's music performers and audiences. You can learn more about your responsibilities and participation by visiting this CPB [website](#).

We are pleased to report that the Copyright Royalty Board recently approved our agreed-upon royalty rates and terms for the period January 1, 2021 through December 31, 2025, and incorporated them in the copyright regulations, as set forth in this [Federal Register Notice](#).

This new license modifies and extends the current arrangement with SoundExchange, covering CPB CSG-qualified stations, NPR Member stations, National Federation of Community Broadcasters member stations, and the organizations NPR, American Public Media, PRI, and PRX. Covered stations

will be required to report their music streaming data, with CPB paying the royalties to SoundExchange.

[Station reporting](#) is an essential responsibility of this arrangement and is critical to fulfilling our music license obligations and to our ability to negotiate with SoundExchange for rates and terms appropriate to public radio's noncommercial and not-for-profit public service.

At this point, stations should continue to report their music use to NPR Member Partnership under the current agreement, so that featured recording artists will be paid royalties. Also, keep in mind that the SoundExchange license is limited to non-interactive streaming via a covered entity's website (including access via apps and smart speakers). The SoundExchange agreement does not cover on-demand streaming or downloads of songs or podcasts.

FCC Adopts Report & Order Reallocating & Repacking C-Band: As expected, the FCC adopted a final [Report and Order](#) (released March 3rd) that reallocates part of the C-Band spectrum for 5G, while preserving the upper C-band exclusively for fixed satellite services used to distribute radio and television programming and other services. Existing satellite operations – including those for the Public Radio Satellite System (PRSS) -- will be repacked into the upper 200 MHz of the C-band (4.0-4.2 GHz). The FCC will hold a public auction of the lower 280 MHz of C-band spectrum for new 5G wireless services (and reserve a 20 MHz “guard band”).

Satellite operators will play a large role in managing the transition and are eligible for up to \$9.7 billion in incentive payments if they clear the lower C-band and transition associated earth stations on an accelerated timeline. The FCC order requires winning bidders of the C-band auction to reimburse satellite operators and others for transition costs, including launching new satellites, repacking earth stations, and installing filters on all registered earth

station downlink antennas. While the lengthy FCC Order sets forth a complex procedure for the C-band repack involving coordination among numerous parties that provide, use, and rely on C-band satellite service, the process for public radio stations should be relatively straightforward.

Our PRSS partners have been working with our satellite provider to plan for a smooth transition. PRSS is in the process of moving to a new satellite transponder with frequencies in the upper C-band. New PRSS receivers are automatically tuned to the new frequencies. In addition, all C-band satellite dish downlink antennas will need filters to mitigate interference from new 5G uses in the band. PRSS will provide more transition details in the coming weeks and months.

In response to [lobbying by NPR](#) and others, we are pleased that the FCC revised its earlier draft order to provide opportunities for stakeholders to comment and identify any deficiencies during the transition process, as satellite providers submit transition plans for approval and later certify that they have satisfied benchmarks for incentive payments. We will continue to provide input to FCC staff, Commissioners, and Congress as the transition unfolds. As always, our goal is to ensure continued satellite service for public radio without interruption, harmful interference, or added cost through the transition and beyond.

FCC to Consider New 6 GHz Band Proposal at April 23 Commission

Meeting: Early this month, Chairman Pai circulated this [draft Report & Order](#) to open the 5.925-7.125 GHz (“6 GHz”) band for *shared use* by Wi-Fi and other unlicensed consumer devices. The 6 GHz band includes spectrum used for C-band uplinks, and sometimes for other station equipment. This is part of the agency’s continuing effort to free up more spectrum for wireless applications, and there has been extensive industry interest and comment on the FCC’s proposed actions involving the 6 GHz band. According to the FCC, these new 6 GHz rules are tailored to protect incumbent services.

If adopted at the Commission's April 23rd meeting, the draft rules would authorize two types of unlicensed operations to share 6 GHz spectrum with existing licensed services: (1) unlicensed indoor and outdoor standard-power access points in certain sub-bands (including C-band uplink spectrum); and (2) unlicensed indoor low-power access points over the entire 1,200 MHz band. The FCC is also considering an additional rulemaking to permit "very low-power devices" to operate across the entire 6 GHz band (for the development of new high-speed, short-range devices) and to explore the potential for higher power levels for certain indoor devices.

When we reviewed the initial proposal over a year ago, we didn't have major or unique concerns for public radio uplinks, and the risk of harmful interference from this type of shared use didn't seem very likely. (The National Association of Broadcasters was much more concerned about sharing other parts of the band used for TV broadcast mobile operations.) The current draft Report & Order includes some modifications and further explanation. We are reviewing the details for potential impact on public radio operations and have shared with our Public Radio Engineering/Tech Policy Working Group members for their input. Please let us know if your station has any concerns.

FCC Regulatory Updates: Partnering with our colleagues in NPR's Office of General Counsel, we have been lobbying the FCC on a number of technical issues as radio and TV broadcasters transition to digital operations. A couple highlights:

- **NPR Supports All-Digital AM Broadcasting Proposal:** In March, we submitted [NPR Comments](#) supporting the Commission's efforts to permit AM stations to choose whether to transition to all-digital broadcasting depending on their specific circumstances, provided that the FCC addresses any interference-related or other complications that may arise. NPR also supported the adoption of the NRSC-5-D standard for digital audio broadcast operations, while urging the FCC to exercise

some caution and communicate with industry about how the technical parameters work in practice.

- **FCC ATSC 3.0 Rulemaking Proposal Considers Impact on Public Radio:** On April 1st, the FCC released a [Notice of Proposed Rulemaking](#) involving technical rule changes to permit greater flexibility for television broadcasters to use distributed transmission systems (DTS) as they deploy ATSC 3.0, the next generation TV broadcast standard. The NPRM was spurred by a petition from America's Public Television Stations and the National Association of Broadcasters. While NPR generally supports the rule change sought, at NPR's request, the FCC NPRM seeks comment on the use of filters to avoid DTV Channel 6 interference to public radio stations in the adjacent FM reserved band. Comments are due 30 days after publication in the Federal Register, and Reply Comments are due 30 days after that.

Please contact us if you have any questions or need additional information. We promise to stay in touch and encourage you to do the same.

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