



CORPORATION FOR PUBLIC BROADCASTING

Robert T. Coonrod
President and Chief Executive Officer

September 14, 1998

Pat Scott
Executive Director
Pacifica Foundation
1929 Martin Luther King, Jr. Way
Berkeley, CA 94704

Dear Pat:

A few weeks ago, CPB mailed to stations a revised *Communications Act and Certification Requirements for CPB Station Grant Recipients*. You telephoned to ask what, if any, effect this might have for Pacifica. After giving it some thought, I write you today because I believe the Pacifica Foundation's and CPB's interpretations about the definition and operation of Community Advisory Boards may differ in important ways. I wanted you and your Board to be aware of our concerns.

Specifically, the Communications Act provides that the Community Advisory Board "shall be solely advisory in nature." The law adds that the Community Advisory Board shall "in no case have any authority to exercise any control over the daily management or operation of the station."

As CPB's Guidelines say, "The law segregates the management and operational functions of the governing board from the advisory board's functions to assure a clear demarcation between the governing board and the advisory board." A more detailed outline of the requirements may be found on pages 11-13 of the booklet.

Based on my understanding, Pacifica Foundation's current governance structure appears to be at variance with both the law and our guidelines. If it is true that a majority of members making up Pacifica's Governing Board are also members of Pacifica station Community Advisory Boards, that makes it impossible for the two to remain distinct and independent.

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#34

Letter to Pat Scott
September 14, 1998
Page Two

As you may be aware, compliance with this portion of the law gives little wiggle room to CPB in its interpretation. Failure to comply risks future CPB funding for any station.

Should you need more information about the Communications Act and CPB Guidelines in this matter, do not hesitate to contact my office. Thank you, in advance, for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob", with a stylized, looped initial "R" and a trailing flourish.

Robert T. Coonrod
President and Chief Executive Officer