

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

Tillicum Foundation

1. Applicant is: (check one box below)

- (a) governmental or public educational agency, board or institution
- (b) private nonprofit educational institution
- (c) nonprofit educational corporation
- (d) other (specify)

2. For applicants 1(c) or (d), describe in an Exhibit the nature and educational purposes of the applicant.

Exhibit No.  
1

3. For applicants 1(c) or 1(d) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served.

Exhibit No.  
N/A

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program.

Exhibit No.  
1

Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended?

Yes  No

If Yes, provide particulars in an Exhibit.

Exhibit No.

**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.)

Yes  No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

Yes  No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

7. Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant, in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

Yes  No

If the answer is Yes, attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Exhibit No.

Section II - LEGAL QUALIFICATIONS (Page 4)

9. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

Yes  No

If Yes, provide particulars as an Exhibit.

Exhibit No.

10. Does the applicant or any party to the application have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

Yes  No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

Yes  No

(c) a broadcast application which has been denied by the Commission?

Yes  No

(d) a broadcast station, the license of which has been revoked?

Yes  No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

Yes  No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.

2

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

## EXHIBIT 1

The Tillicum Foundation ("Tillicum") is a non-profit corporation organized under the laws of the State of Oregon. Tillicum is a community-based organization, funded mainly by membership contributions.

Its organizational goals are to:

1. Encourage access by remaining open and non-bureaucratic.
2. Insure access by providing training and assistance to people who have no previous technical skill.
3. Encourage and seek participation of women, senior citizens, people of color, children in all aspects of radio station operation.
4. Rely heavily on volunteer staffing for programming and other organizational functions.

Tillicum is the licensee of noncommercial educational FM station KMUN, Astoria, Oregon. Its objectives with respect to KMUN and the proposed new station at Wheeler, Oregon are to provide:

1. Quality local community-based radio program,
2. A forum for many points of view,
3. Access to the radio media for the local community and
4. Educational, cultural and ethnic programming.

Its program policies are to:

1. Fill needs that other media do not.
2. Seek out controversial or neglected perspectives on issues.
3. Provide programming that reflects spontaneity and diversity.
4. Provide easy community access.

Educational Focus:

Tillicum strives to educate its listeners by providing unbiased, factual public affairs programs, by providing a wide range of cultural programs including poetry, prose readings, and a wide range of musical styles, and by providing a resource for the community to learn how to use the broadcast media. It has set up targeted education programs for youth, for minorities, for the very old and for special constituencies based on culture, financial background, and sexual preference. KMUN plans to collaborate with local educational institutions to provide training in journalistic skills and the art of program production.

## Examples:

KMUN has the only Spanish language programming on the air in its broadcast area (commercial or non-commercial) with three hours of Hispanic music and bilingual community and cultural calendars, special guests, and public affairs. This has been on the air for just under six years.

In 1994 KMUN instituted a special training session and outreach project for our basic broadcast training plan administered through Clatsop Community College which targets the Spanish-speaking community. This includes seeking out and identifying persons who have an interest in broadcasting or in producing programming for the content alone. KMUN has trained thirty-two new Hispanic interns in the two years the program has been in effect. The training includes voice and language training and engineering techniques.

In other outreach activities, KMUN sought the services of the local Federal jobs training center, the Tongue Point Job Corps, to provide minority interns to receive on-the-job training in electronics maintenance and radio engineering as well as radio production and management. It has three interns, one of which is working with the teen program and the other two who are working in production. In 1996 it trained interns from the Vietnamese, Tibetan, and African American communities under this program.

There is a significant Tibetan community in a nearby town, Warrenton, Oregon. During 1996, KMUN trained three local residents as producers. It has produced and aired two series on central Asian affairs in the last year under this arrangement.

Other minority projects include co-sponsoring and promoting quarterly dances with live music from a northwest mariachi and rock band in conjunction with the newly formed Hispanic Cultural Center in Astoria.

KMUN works with a local youth program supported by the Sunset Empire Parks and Recreation Department of Seaside, Oregon to produce a weekly teen issues and music radio program. KMUN provides broadcast training, supplies, equipment and air time and the youth program provides mentors- kids provide the energy and program content. This program has been on the air for about four years and currently has 27 involved kids.

In 1996, KMUN teamed up with a local bipartisan, non-profit organization called the Columbia Pacific Forum which works to encourage dialogue and consensus for community and regional problems. The organization books speakers and facilitators from national, regional, state and

local government, business and the arts to discuss and debate issues of importance to the Pacific Northwest. KMUN has funded and staffed live broadcasts and a tape copy service for these programs to make the discussions available to the whole community. The station has worked closely with The Daily Astorian, the community's local newspaper to provide both the forums and local public affairs programs featuring staff from both organizations in discussion on community issues. KMUN also jointly sponsors with the Daily Astorian and broadcasts live candidate forums during election seasons.

KMUN works with the Astoria city Parks and Recreation department to provide a summer youth radio training program to acquaint kids with the radio broadcasting, teach play writing and script preparation, and how to work with actualities and sound effects in radio. Each class produces a kids radio program for airing on the station. The classes meet in July of each year and trains about 15 kids in each of two sessions per year.

KMUN co-sponsored traveling cultural events such as the Portland Youth Philharmonic, Country Joe McDonald, Portland Poetry Slam, and a number of Children's book authors (in conjunction with local school libraries) in 1997. This is a long term station activity and averages about 6 to 8 events each year. In addition, on the long-running Children's Bedtime Story program, airing 5 days per week at 8 PM, KMUN has two local school principals and four school teachers as regular readers in the story collective.

KMUN provides a cultural events calendar for all the non-profit organizations such as theater companies, community college, local musical groups and individuals and more, five times daily. In addition, it has a community calendar of meetings, special events, and government activities which runs daily. KMUN co-sponsors many fundraising events for other organizations such as concerts, banquets, sales of merchandise, and activities.

KMUN works with the school libraries and teachers of writing in six local school districts to provide outlets for writing projects such as government studies or Martin Luther King Day essay assignments in which kids read their work on the air or have their work produced as radio programs.

KMUN has worked with National Public Radio in each of the networks educational outreach projects for the last four years which include both classroom workbooks, joint on-air radio vignettes, and writing assignments.

KMUN has teamed with the local Clatsop Community College to provide for-credit classes in broadcast fundamentals and basic production techniques for community members. The class is open to all ages above 14, is free, and leads to an FCC operator's license for broadcast operations. KMUN has trained over 3100 people to be on-air operators in 14 years, many of whom

have gone on to other stations, higher education, or into production. In addition, KMUN provides training in digital production techniques using state of the art computers as the platform, producing into a mini-studio using DAT, minidisc, cassette, and reel to reel technology as end audio mediums.

KMUN produces a daily 1/2 hour children's bedtime story program consisting of host-read short stories for the 4-12 age range and a continuing chapter book which appeals to kids of all ages. This five night per week program airing at 8 PM has been on KMUN since April of 1983 and is the most cited program in letters from listeners.

KMUN produces a weekly one hour program of children's music, stories, guests and "Skinnamarink"-live entertainment on Saturday mornings from 10-11 as "an antidote to Saturday morning cartoons." "Skinnamarink" has aired continually on KMUN since 1984. KMUN operates both these programs with the help of the local school districts and often trade books and material with individual teachers and librarians. The story programs and music are heavily recommended by teachers for kids to listen to if, for instance, there is evidence that they are not being read to in their home setting.

KMUN produces a weekly magazine program of cultural events which features among other events, the work of Clatsop Community College's performing arts department and its long-running public performance series. It regularly airs in-depth productions of radio plays and heavily cover the work of the visual art department.

In 1997 KMUN provided equipment and technical help to a group of Seaside High School students to do their senior projects on the subject of teen addiction and substance abuse. In addition, KMUN was technical advisor for a long running project at Seaside High for oral histories of Oregon and Washington historical figures.

The proposed station will broadcast original local programming as well as network programming and programming provided by KMUN. A studio in the city of license will permit local origination of programming for part of each broadcast day by volunteers and students from the service area.

## **EXHIBIT 2**

The Tillicum Foundation is licensee of noncommercial educational FM Radio Station KMUN, Astoria, Oregon and is an applicant for new noncommercial educational FM stations at Tillamook, Oregon (File No. BPED-980706MA) and Astoria, Oregon (BPED-990806MA).

KMUN has operated translator service to the Tillamook area on Channel 211, at 90.1 MHz, with call sign K211BM since 1990. KMUN has offered translator service to the Wheeler, Nehalem, and Manzanita area on Channel 208, at 89.5 MHz with call sign K208BA since 1985.