

RE: FCC File # 0000180618

Date: July 19, 2022

Dear FCC Investigators,

I am writing in response to a Petition to Deny for FM non-commercial radio station WBAI in New York (File # 0000180618) licensed to the Pacifica Foundation. I am in support of an investigation into the WBAI's renewal application.

From the emails below you will see that I have twice contacted WBAI's licensee governing board of directors, The Pacifica Foundation's National Board, with my concerns about possible FCC violations at station WBAI. I have received no written communications or seen any plan or concrete evidence of how what appear to me to be continued FCC violations will be stopped. One Pacifica Foundation's National Board member actually publicly criticized me in an open meeting for supporting efforts to address the situation.

I believe that it is important for WBAI to provide programming that is in alignment with FCC laws, especially given the regulations regarding using a non-commercial license for the profit of on-air staff's personal businesses and the non-disclosure of this activity to listeners.

I hope the FCC will investigate and take action to resolve the problems there by providing oversight and clarification to protect the integrity of WBAI's programming and license.

Thank You,

Carol Wolfley

From: Carol Wolfley <cgwolfley@comcast.net>

Subject: Previous Notification of Possible FCC Violations at WBAI and KPFA LSB Motion

Date: June 27, 2022 at 8:49:46 AM PDT

To: Pacifica National Board <pnb@pacifica.org>, Julie Hewitt <hewitt.wpfw@gmail.com>, PNB Secretary <secretary@pacifica.org>, "Stephanie D. Wells" <ed@pacifica.org>

Cc: Christina Huggins <cbellejanet1952@gmail.com>, Donald Goldmacher <donald.goldmacher@gmail.com>

Dear PNB Directors,

In 2019 as a member of the Pacifica Programming Committee in response to numerous complaints, I sent the PNB the following email regarding possible FCC violations at WBAI.

Begin forwarded message:

From: Carol G Wolfley <cgwolfley@comcast.net>

Subject: CONFIDENTIAL Commission Policy on the Noncommercial Nature of Educational Broadcasting | Federal Communications Commission

Date: November 7, 2019 at 11:03:13 AM PST

To: Pacifica National Board <pnb@pacifica.org>

Dear PNB Directors,

Please address these potentially serious issues.

At a National Programming Committee discussion last night a question was raised about use of premiums at WBAI which may violate FCC policies.

I am writing to ask you to look into the legality of a radio producer on a non commercial station promoting premiums which he benefits from financially. In this case involving claims and promotions related to health cures and body products. I understand that WPFW had concerns about that approach to fund raising and moved away from it and that a number of EDs and IEDs have expressed serious concerns about it.

Here are the guidelines which may apply for your legal investigation. Can you please communicate to us if this is legal and if there is a plan to continue this practice.

<https://www.fcc.gov/media/radio/nature-of-educational-broadcasting>

Also in following up on the situation with the unsent premiums for WBAI, please clarify from how far back there are still unsent premiums from before October 7 and the number of unsent premiums involved. I appreciate that some of the volunteers at WBAI are helping with this and it is my understanding that this is a monumental task.

To Grace Aaron,

It is my understanding that there was a proposal from a PNB Director at KPDK to put football games on the air which would not be in alignment with Pacifica's non commercial status or the mission. Can you please verify if that proposal is still under consideration and the legal implications of it in relation to Pacifica's license.

Respectfully,

Carol Wolfley

Member of the National Programming Committee

These Current PNB Directors were on the board on Nov 7 2019.

Listener Lawrence Reyes, KPFK,

Listener Shawn Rhodes, , WBAI

Listener James Sagurton, WBAI and on National Finance Committee

Donald Goldmacher, KPFA

Grace Aaron, (who is currently on the Pacifica Programming.) Committee and Alex Steinberg, (who is currently on the Strategic Planning Committee) were also on the PNB when my email was sent.

It is of great concern that rather than address the alleged financial irregularities and programming concerns, the PNB appears to have chosen to pass the problem on to lawyers, perhaps to negotiate a way out of making needed changes and without an in depth PNB investigation of the complaint. There may be a conflict of interest with an attorney who is also a producer of a program at WBAI and who has represented WBAI in cases being involved in legal issues related to the FCC petition.

Instead of working with the Pacifica Executive Director to make much needed personnel and programming changes the PNB seems to have limited the Pacifica Executive Director's ability to take action in those areas, Apparently the PNB has usurped the authority of the the Executive Director who is mandated by the bylaws to have "the primary responsibility for implementing the directives, decisions and policies pertaining to administration, personnel, programming, financing and public relations".

And while bypassing a PNB investigation of the alleged FCC violations at WBAI, the PNB and its Parliamentarian allowed the PNB to hold an open meeting with discussions of possible punitive action against then board director Donald Goldmacher. Dr. Goldmacher is a retired medical doctor with serious concerns about the public health threats and financial irregularities resulting from long term WBAI practices.

Please know that the KPFA Local Station Board passed the following motion at the May 21. 2022 meeting:

Motion: The KPFA Local Station Board supports an FCC investigation into possible broadcasting violations at WBAI. Charges of self-inurement, "payola" and enrichment threaten the very foundation of Pacifica, if proven. KPFA Local Station Board opposes the efforts by some members of the Pacifica National Board to suspend and remove Donald Goldmacher from the Pacifica National Board because of his efforts to protect Pacifica and all its stations by supporting the FCC investigation. Mr. Goldmacher is upholding his fiduciary responsibilities. The alleged programming and business practices at WBAI could bring down the entire Network. PASSED

We urge the PNB to investigate the alleged FCC violations at WBAI and to take action to insure that the station follows FCC regulations including producing responsible news, public affairs, music and cultural programming that listeners deem worthy of support.

Thank you,
Carol Wolfley
Secretary of the KPFA Local Station Board