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Written Testimony of

FREDERICK J. KASS

on behalf of

INTERCOLLEGIATE BROADCASTING SYSTEM (IBS)

My name is Frederick J. Kass, and I am presently the volunteer Chief Executive Officer (CEO) and formerly the Chief Operating Officer (COO) of the Intercollegiate Broadcasting System, Inc., a non-profit Rhode Island corporation, founded in 1940. IBS operates with a volunteer staff and has no paid officers or employees.

During and after my graduation from Lehigh University in 1964, where I was the station manager of WLRN, the Lehigh student carrier current station, I became part of IBS. While a student at Lehigh I operated chartered air flights to Europe. After active service with the US Navy and receiving my GI Bill MBA I started and ran for over a decade, a chain of twelve wholesale and retail electronics stores in New York State. I served in the U.S. Navy and Naval Reserve for 30 years (1964 – 1995) with multiple combat tours/deployments to Vietnam and Bahrain (Desert Storm). In the 1990s NY Governor Mario Cuomo appointed me Commander of the New York State Naval Militia, a force commander in the NY Department of Military (National Guard) and Naval Affairs. For twelve years (1995 – 2007) I was the Director of Aviation for Orange County, managing Orange County Airport. I have been, for forty-nine years,

a certificated by the USDOT Federal Aviation Administration as a pilot and instrument instructor. Recently for several years I was appointed to the FAA Safety Team (FAASTeam) providing airport and pilot safety resources in the Hudson Valley and with a Port Authority of NY/NJ airport. In 2004 I was elected to Board of Directors for the statewide New York aviation management association (NYAMA), which I currently serve on. In 2012 NYAMA awarded me the Bill Shea Award. An award presented some years to the person that has “done most to benefit aviation in New York State during the preceding twelve months.” I am co-founder (1971), past president, and current member of the New Windsor – Cornwall Rotary Club. I am a Paul Harris Fellow of the Rotary Foundation (International). I have been an Adjunct Instructor/Professor in the fields of aviation and business.

I am not connected personally, or financially, with any broadcast or music business. I have no personal stake in the outcome of these proceedings.

IBS is the largest organization of radio broadcast stations and streaming stations, whose staffs are students at high schools, academies, colleges, and other educational institutions domestic and foreign. The stations are largely student-managed and are predominantly staffed by student volunteers. Most of these stations are extra-curricular activities financially supported by student activities or student assessments. A few are curricular activities directed by members of the institutional faculty. Few have revenues from their operations. IBS currently carries on its membership rolls some 800 stations.

Most IBS Members are public schools, community colleges, and State colleges/universities, entities of our 50 States. State Laws often prohibit using State funds to support organizations that are, or fund, lobbying groups. SoundExchange uses revenues to fund lobbying. A conflict between state statues and federal statutes needs clarification.

IBS's principal purpose is to promote such stations and to teach students about communications, media, how to operate a broadcast station, and to teach them in supporting fields such as program production, writing scripts and continuity, music, news, sports announcing, engineering, sales techniques, drama, accounting, management, and regulation. To this end IBS hosts annually a national conference and several coast-to-coast regional conferences that feature instructional lectures, sessions, and panels, involving presentations by leaders from educational institutions, allied arts, the media, and government.

These stations operate as non-profit entities within the meaning of the statute, as amended. They use digitally recorded music as instructional media for announcers and programmers. The instantaneous listenership to such music on member stations is typically on the order of five listeners, with the exception of course-related music and other on-campus events. In contrast, audiences for live sports broadcast live musical performances, and lectures and other live on-campus originations are typically much larger than the audience for digitally recorded music.

IBS Members provide significant science, technology, engineering, management, media, and communication skill set training. The stations typically act as learning laboratories where students may learn and perfect their skills.

I swear under the penalties of perjury that the facts stated in the foregoing testimony are true and correct.

Frederick J. Kass

New Windsor, New York

October 7, 2014