



GEORGETOWN UNIVERSITY LAW CENTER
INSTITUTE FOR PUBLIC REPRESENTATION

Hope M. Babcock
Angela J. Campbell
David C. Vladeck
Directors
James A. Bachtell+*
Michael D. Beach
Sheila A. Bedi
Lisa Goldman+**
Amy R. Wolverton
Staff Attorneys

600 New Jersey Avenue, NW, Suite 312
Washington, DC 20001-2075
Telephone: 202-662-9535
TDD: 202-662-9538
Fax: 202-662-9634

April 22, 2003

VIA Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

Re: **In the Matter of 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 02-277**
Cross-Ownership of Broadcast Stations and Newspapers, MM Docket No. 01-235
Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets, MM Docket No. 01-317
Definition of Local Markets, MM Docket No. 00-244
In the Matter of Review of the Commission’s Broadcast and Cable Equal Employment Opportunity Rules and Policies, MM Docket No. 98-204

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission’s Rules, this letter is to provide notice of an *ex parte* meeting with Commission staff in the above-referenced proceedings. On April 21, 2003, Terry O’Neill of the National Organization for Women (NOW) and Amy Wolverton and Jean Kuei of Georgetown University Law Center’s Institute for Public Representation (IPR), on behalf of NOW, met with Jordan Goldstein, Senior Legal Advisor to Commissioner Michael J. Copps.

During this meeting, representatives of NOW generally discussed the substance of their comments and those of other public interest organizations filed with the Commission in the 2002 Biennial Regulatory Review. NOW’s representatives stressed the importance of the ownership rules to small businesses, women, and minorities. Parties also expressed concern over the further

deregulation of media ownership and the lack of media coverage of the proceeding. NOW's representatives pointed out that an overwhelming majority of comments submitted to the Commission in the ownership proceeding thus far appear to favor retention of media ownership regulations. Representatives of NOW further stated that the Commission now has the record to support separate media ownership rules. For instance, recent RTNDA and Neilson studies, along with comments in the proceeding, provide the Commission a basis to justify the duopoly rule.

With regard to the equal employment opportunity proceeding, NOW's representatives urged the Commission to reinstate the Form 395-B filing requirement in time for broadcasters to file by the September 30, 2003 deadline. Representatives of NOW highlighted the need for collection of the Form 395-B workforce data in order to enable the Commission to submit meaningful, comprehensive trend reports to Congress. Further, NOW's representatives also pointed out that allowing stations to file anonymously or through a clearinghouse would compromise the integrity of the 395-B data collection process. A summary of NOW's position on the Form 395-B requirement was provided at the meeting and is attached to this letter.

Finally, NOW's representatives provided a copy of an *ex parte* letter, dated April 21, 2003, filed to address the State Broadcasters Associations' misrepresentations of NOW's position in their recent Reply to NOW's Opposition to Reconsideration. A copy of the *ex parte* letter is also attached.

Pursuant to the Commission's Rules, this *ex parte* notice is being filed electronically through the Commission's Electronic Comment Filing System procedures. Please do not hesitate to contact me at 202-662-9545 should you have any questions regarding this filing.

Sincerely,

Amy R. Wolverton

Attachments

cc: Jordan Goldstein (FCC)
Terry O'Neill (NOW)
Angela Campbell (IPR)
Jean Kuei (IPR)