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April 24, 2003

**VIA Electronic Filing**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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 in the above-referenced proceedings. On April 24, 2003, Linda Berg 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 Commissioner Jonathan Adelstein and Legal Advisor Johanna Mikes.

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 media ownership rules to small businesses, women, and minorities and asked the Commission to maintain separate rules for different media outlets. Parties also discussed the concern that newsroom staffs would be obliterated by increased television consolidation. Representatives of

NOW argued that implementing media ownership rules without a further notice period would preclude meaningful comment under the Administrative Procedures Act (APA). NOW's representatives promised to send the Commissioner the attached *ex parte* letter and memo dated April 9, 2003, detailing the arguments that IPR makes on behalf of the United Church of Christ, Inc. on the APA issue.

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.

NOW's representatives also 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.

Finally, a fact sheet about the Institute for Public Representation was provided at the meeting and is attached to this letter.

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: Commissioner Jonathan Adelstein (FCC)  
Johanna Mikes (FCC)  
Linda Berg (NOW)  
Angela Campbell (IPR)  
Jean Kuei (IPR)