



# PUBLIC NOTICE

Federal Communications Commission  
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DA 02-1025

June 20, 2002

## MEDIA BUREAU ANNOUNCES *EN BANC* HEARING

### ON BROADCAST AND CABLE EQUAL EMPLOYMENT OPPORTUNITY RULES\*

The Federal Communications Commission will hold an *en banc* hearing on Monday, June 24, 2002, to discuss issues and views on the proceeding to promulgate new broadcast and cable equal employment opportunity (“EEO”) rules. The date for filing comments in the *Second Notice of Proposed Rule Making* was April 15; the reply comment deadline is May 29, 2002. The *en banc* will convene from 10:00 a.m. to 1:00 p.m. at the Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. in the Commission Meeting Room (Room TW-C305).

The purpose of the *en banc* is to assist the Commission in its examination of the EEO rules applicable to broadcast and cable entities. In January 2001, the District of Columbia Circuit Court of Appeals vacated the rules as unconstitutional, finding them insufficiently tailored to address the Commission’s efforts to prohibit race and gender discrimination in broadcast and cable employment. The EEO rules before the court for review were adopted by the Commission in January 2000. Following the court’s decision, the Commission suspended enforcement of its EEO program outreach and dissemination rules. The broadcast and cable non-discrimination rules remain in effect.

The *en banc* will focus on the issues raised in the rulemaking initiated in December 2001 (FCC 01-363). The *en banc* will feature industry professionals representing both small and large broadcasters and cable entities, academicians, as well as representatives from trade associations and the public interest sector.

The *en banc* is open to the public and seating will be available on a first come, first served basis. All interested persons are invited to attend. Internet users may listen to the real-time audio feed of the hearing via the Internet in Real Audio/Real Video format <http://www.fcc.gov/realaudio/>.

For more information, contact Jamila Bess Johnson, (202) 418-2608.

\* The *en banc* hearing was previously announced in Public Notice DA 02-1025 (May 3, 2002), but that public notice inadvertently was not published in the Federal Register. Accordingly, the Commission is re-releasing the public notice pursuant to 0.605(e) of its rules, 47 CFR § 0.65(e). The Commission determined that to the extent the previous public notice was insufficient for purposes of Section 0.605, the prompt and orderly conduct of the Commission’s business requires that this notice be issued less than one week prior to the *en banc* hearing and that earlier notice was not practicable, since the failure to publish the earlier public notice was just discovered.