

**SEPARATE STATEMENT OF  
COMMISSIONER KATHLEEN Q. ABERNATHY**

*Re: Review of the Commission's Broadcast and Cable Equal Employment  
Opportunity Rules and Policies, MM Docket No. 98-204 (adopted November 7, 2002)*

Today the Commission is adopting equal employment opportunity rules that are meaningful and effective and, just as important, will withstand judicial scrutiny. As I have stated previously, the Commission must respect the courts and craft an order consistent with the decisions set forth in *MD/DC/DE Broadcasters Association v. FCC* and *Lutheran Church-Missouri Synod v. FCC*. It would be irresponsible to place in jeopardy rules that can have a significant impact on the media opportunities available to all members of our communities by going down a road that is neither appropriate nor effective.

I appreciate all the valuable input that we have received from commenters in this proceeding and the rules we have adopted are responsive to their concerns. Broad outreach and anti-discrimination rules will enable all people from various backgrounds within each community to become aware of specific job openings and media opportunities in general. In addition, the longer-term recruitment initiatives, including scholarships and internship programs, will help a wide array of people develop the knowledge and skills to pursue media employment opportunities. Media companies will benefit from an expanded range of qualified applicants from which to choose and candidates will have a fair opportunity to compete for jobs. In the end, the public benefits from services created and delivered by a talented workforce. The rules we adopt today do not provide better opportunities for any particular group, but ensure equal opportunities for all.