

DC/DE Broadcasters Association v. FCC. The new rules reinstate the requirement that broadcast licensees file the FCC Form 396-A at the time they file applications for construction permits, or assignments or transfers of license. The new EEO rules also ensure equal employment opportunity in broadcast and multi-channel video program distributor industries through outreach to the community in recruitment and prevention of employment discrimination. While FCC Form 396-A remains almost entirely the same as the form used under the rules adopted in 2000, the Second R&O also builds in flexibility for licensees to implement a program in compliance with the new rules, *i.e.*, it allows for a range of community outreach programs to those interested in broadcast careers, and broadcasters with five or more full-time employees may list recruitment sources they plan to use.

OMB Control Number: 3060-0212.

Type of Review: Extension of a currently approved collection.

Title: Section 73.2080, Equal Employment Opportunities (EEO Rule).

Form Number: N/A.

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents: 10,825.

Estimated Time Per Response: 42 hours.

Frequency of Response:

Recordkeeping; Annual reporting requirement.

Total Annual Burden: 454,650 hours.

Total Annual Cost: None.

Needs and Uses: On November 7, 2002, the FCC adopted a Second Report and Order and Third NPRM (Second R&O), MM Docket No. 98-204, FCC 02-303, 68 FR 670 (2003), which established new EEO rules and forms to comply with the court's decision in *MD/DC/DE Broadcasters Association v. FCC*. The new EEO rules ensure equal employment opportunity in broadcast and multi-channel video program distributor industries through outreach to the community in recruitment and prevention of employment discrimination. Specifically, the Second R&O adopts EEO recordkeeping and reporting requirements; specifies which EEO materials must be kept in the public inspection file; and requires all broadcasters to adhere to the EEO rules' general anti-discrimination provisions. Only station employment units with five or more full-time employees are subject to the EEO program provisions. Among other requirements, broadcasters must widely distribute job vacancy information and provide full-time job vacancy information to requesting

organizations. Broadcasters must also retain records to demonstrate that they have recruited for all full-time permanent positions, *i.e.*, full-time vacancy filled, listings of recruitment sources, dated copies of advertisements, etc., and place such types of records annually in their local public inspection file.

OMB Control Number: 3060-0349.

Type of Review: Extension of a currently approved collection.

Title: Equal Employment Opportunity Requirements.

Form Number: N/A.

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents: 2,125.

Estimated Time Per Response: 42 hours.

Frequency of Response:

Recordkeeping; Annual and five year reporting requirements.

Total Annual Burden: 89,250 hours.

Total Annual Cost: None.

Needs and Uses: On November 7, 2002, the FCC adopted a Second Report and Order and Third NPRM (Second R&O), MM Docket No. 98-204, FCC 02-303, 68 FR 670 (2003), which established new EEO rules and forms to comply with the court's decision in *MD/DC/DE Broadcasters Association v. FCC*. Among other things, the Second R&O adopts several EEO recordkeeping and reporting requirements. It specifies which EEO materials must be kept in the public inspection file. All multi-channel video program distributor (MVPD) employment units with six or more full-time employees are subject to EEO program provisions and must disseminate employment information widely. These MVPDs must also retain records to demonstrate they have recruited for all full-time permanent positions and must place a listing of all full-time vacancies filled and recruitment sources used for each vacancy for the preceding year in their EEO records file.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-25302 Filed 10-6-03; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-03-53D (Auction No. 53); DA 03-2354]

Auction of Licenses in the Multichannel Video Distribution and Data Service (MVDDS) Rescheduled for January 14, 2004; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces the procedures and minimum opening bids for the upcoming auction of MVDDS licenses and announces that the auction has been rescheduled for January 14, 2004. This document is intended to familiarize prospective bidders with the procedures and minimum opening bids for this auction.

DATES: Auction No. 53 is scheduled to begin on January 14, 2004.

FOR FURTHER INFORMATION CONTACT:

Auctions and Industry Analysis Division: Legal questions: Brian Carter at (202) 418-0660, or General auction questions: Roy Knowles or Barbara Sibert at (717) 338-2888. Media Contact: Press inquiries: Chelsea Fallon at (202) 418-0660. Public Safety and Private Wireless Division: Legal questions: Jennifer Burton at (202) 418-0680, or Technical questions: Michael Pollak at (202) 418-0680 or Steve Buenzow at (717) 338-2646.

SUPPLEMENTARY INFORMATION: This is a summary of the *Auction No. 53 Procedures Public Notice* released on August 28, 2003. The complete text of the *Auction No. 53 Procedures Public Notice*, including attachments, as well as related Commission documents, are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC, 20554. The *Auction No. 53 Procedures Public Notice* and related Commission documents may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com. When ordering documents from Qualex, please provide the appropriate FCC document number (for example, FCC 02-116 for the *Second Report and Order*). The *Auction No. 53 Procedures Public Notice* and related documents are also