

certified its application with respect to the completeness of the KALW(FM) public inspection file and the effect thereof on its qualifications to be a Commission licensee.

2. To determine whether San Francisco Unified School District made misrepresentations of fact or was lacking in candor and/or violated Section 73.1015 of the Commission's Rules with regard to its certification in the subject license renewal application that it had placed in the KALW(FM) public inspection file at the appropriate times the documentation required by Section 73.3527, and the effect thereof on its qualifications to be a Commission licensee.

3. To determine, in light of the evidence adduced pursuant to the specified issues, if the captioned application for renewal of license for station KALW(FM) should be granted.

4. Additionally, Golden Gate Public Radio argued that the licensee SFUSD falsely certified that it complied with the Commission Equal Employment Opportunity requirements in effect at the time the renewal application was filed. The Commission Equal Employment Opportunity program requirements at issue in this case were declared unconstitutional by the Court of Appeals for the District of Columbia Circuit in 1998. Nevertheless, those requirements were in effect during the KALW(FM) license term here, as well as when the subject renewal application was filed, and applicants are not excused from accurately representing their compliance with those rules by their subsequent invalidation. The Commission found that there may have been minor deficiencies in the dissemination of San Francisco Unified School District's Equal Employment Opportunity program during the subject license term, and thus its representations in the KALW(FM) renewal application regarding the station's compliance with the Commission's Equal Employment Opportunity rules and policies appeared to be incorrect. The Commission finds, however, that the evidence presented by Golden Gate Public Radio and the record as a whole are insufficient to raise a substantial and material question as to whether San Francisco Unified School District intended to deceive the Commission by making a false certification regarding its compliance with the Commission's then-existing Equal Employment Opportunity rules. The Commission nevertheless cautioned the licensee that it should exercise more care in the future to ensure that the information it submits to the Commission is accurate, because a false

statement, even absent an intent to deceive, may constitute a violation of 47 CFR 1.17.

5. Copies of this Order, are to be sent by certified mail, return receipt requested, to the parties and counsel. To avail themselves of the opportunity to be heard, Golden Gate Public Radio and San Francisco Unified School District to 47 CFR 1.221, in person or by their respective attorneys, must within twenty (20) days of the mailing of the Order, file in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order. San Francisco Unified School District pursuant to 47 CFR 73.3594, shall give notice of the hearing within the time and in the manner prescribed in 47 CFR 73.3594, and shall advise the Commission of the publication of such notice as required by 47 CFR 73.3594(g).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-19144 Filed 8-19-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2669]

### Petition for Reconsideration and Clarification of Action in Rulemaking Proceeding

August 10, 2004.

Petition for Reconsideration and Clarification has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing an copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to this petition must be filed by September 7, 2004. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of the Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Practices (MM Docket No. 98-204)

*Number of Petitions Filed:* 1.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-19145 Filed 8-19-04; 8:45 am]

**BILLING CODE 4712-01-M**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 8:02 a.m. on Monday, August 16, 2004, the Board of Directors of the Federal Deposit Insurance Corporation met in open session to consider the following matters:

Summary reports, status reports, and reports of actions taken pursuant to authority delegated by the Board of Directors.

Memorandum and resolution re: Notice of Proposed Rulemaking—Community Reinvestment Act Regulations.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Office of Thrift Supervision), seconded by Vice Chairman John C. Reich, and concurred in by Chairman Donald E. Powell, with Director Thomas J. Curry and Director John D. Hawke, Jr. (Comptroller of the Currency) opposing; that Corporation business required its consideration of the matters on less than seven days' notice to the public; and that no earlier notice of the meeting than that previously provided on August 12, 2004, was practicable.

The meeting was held in the Board Room of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Dated: August 16, 2004.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. E4-1850 Filed 8-19-04; 8:45 am]

**BILLING CODE 6714-01-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are