



PUBLIC NOTICE

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DA 17-1055
October 30, 2017

NOTICE CONCERNING *EX PARTE* STATUS OF INFORMATION SUBMITTED TO THE ADVISORY COMMITTEE ON DIVERSITY AND DIGITAL EMPOWERMENT

GN Docket No. 17-208

The Federal Communications Commission (FCC or Commission) recently held the first meeting of its Advisory Committee on Diversity and Digital Empowerment (Committee or ACDDE), on Monday, September 25, 2017.¹ Formed in July 2017, the ACDDE is a federal advisory committee tasked with providing recommendations to the Commission on how to empower disadvantaged communities and accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.² The Committee will also provide recommendations to the Commission on how to ensure that disadvantaged communities are not denied the wide range of opportunities made possible by next-generation networks. The ACDDE is organized under, and operates in accordance with, the provisions of the Federal Advisory Committee Act (FACA).³

Under FACA, the Commission is responsible for oversight of the ACDDE, including its working groups.⁴ As a result, FCC staff or Commissioners may participate in or attend meetings or other activities held by the ACDDE or its working groups. In light of this, we are announcing that pursuant to section 1.1200(a) of the Commission's rules, 47 C.F.R. § 1.1200(a), presentations to the ACDDE, including to its working groups, and at any roundtable discussions sponsored by the ACDDE, and presentations between ACDDE members (including members of any working groups) and FCC staff or Commissioners, will be treated as exempt presentations for purposes of the Commission's *ex parte* rules. This treatment is appropriate because presentations to the Committee will not result directly in the promulgation of new rules.⁵ Furthermore, the treatment is consistent with that afforded to prior advisory committees.

¹ *FCC Announces the Membership, First Meeting, and Docket Number of the Advisory Committee on Diversity and Digital Empowerment* (GN Docket No. 17-208), Public Notice, DA 17-857 (Sept. 8, 2017).

² Advisory Committee Meeting Notice, 82 F.R. 41623 (2017); *see also* *FCC Chairman Ajit Pai Announces Advisory Committee on Diversity and Digital Empowerment Members, Working Groups, and Leadership*, News Release (Sept. 8, 2017).

³ *See* 5 U.S.C. App. 2.

⁴ *See id.*

⁵ *See e.g.*, 47 C.F.R. § 1.1204(b)(1) (exempt treatment of presentations regarding a Notice of Inquiry).

We recognize, however, that the ACDDE may address issues during its work that are the subject of various pending FCC proceedings. The Commission will not rely in these proceedings on any information submitted to the ACDDE, or to any of its working groups, sponsored roundtables, or information conveyed by ACDDE members (including members of any subcommittees or working groups) to FCC staff or Commissioners unless that information is first placed in the record of the relevant proceeding.

More information about the ACDDE is available at <https://www.fcc.gov/advisory-committee-diversity-and-digital-empowerment>. You may also contact Jamila Bess Johnson, the Designated Federal Officer for the Committee, at 202-418-2608 or Jamila-Bess.Johnson@fcc.gov, or Brenda Villanueva, the Deputy Designated Federal Officer, at 202-418-7005 or Brenda.Villanueva@fcc.gov.

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