



PUBLIC NOTICE

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NOTICE CONCERNING *EX PARTE* STATUS OF INFORMATION SUBMITTED TO THE TECHNOLOGICAL ADVISORY COUNCIL

The Federal Communications Commission (FCC or Commission) announced by Public Notice on October 25th, 2010 the formation of the Technological Advisory Council¹. The TAC is a federal advisory committee that provides the technical expertise the Commission needs to identify important areas of innovation and develop informed technology policies supporting America's competitiveness and job creation in the global economy. The TAC is organized under, and operates in accordance with, the provisions of the Federal Advisory Committee Act (FACA).²

Under the Federal Advisory Committee Act, the Commission is responsible for oversight of the TAC, including its subcommittees and working groups.³ As a result, FCC staff or Commissioners may participate in or attend meetings or other activities held by both the TAC and its subcommittees and 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 TAC, including to its subcommittees and working groups, and at any roundtable discussions sponsored by the TAC, and presentations between TAC members (including members of any subcommittees or working groups) and FCC staff or Commissioners, will be treated as exempt presentations for *ex parte* purposes. This treatment is appropriate since presentations to the Council, like comments on a Notice of Inquiry, will not directly result in the promulgation of new rules.⁴

¹ *FCC Announces the Formation of the Technological Advisory, Council*, Public Notice, (October 25th, 2010)

² *See* 5 U.S.C. App. 2.

³ *See id.*

⁴ *See* 47 C.F.R. § 1.1204(b)(1)(exempt treatment of presentations regarding a Notice of Inquiry).

We recognize, however, that issues that may be addressed by the TAC are the subject of a number of pending FCC proceedings.⁵ The Commission will not rely in these proceedings on any information submitted to the TAC, or to any of its subcommittees, working groups, or sponsored roundtables, or information conveyed by TAC 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.

Additional information regarding the TAC can be found at <https://www.fcc.gov/general/technological-advisory-council>. You may also contact Walter Johnston, Designated Federal Official for TAC at (202) 418-0807 or walter.johnston@fcc.gov; or Julius Knapp, Deputy Designated Federal Official for TAC at (202) 418-2468 or julius.knapp@fcc.gov.

⁵ See, e.g., *In the Matter of 2016 Biennial Review of Telecommunications Regulations*, Public Notice, FCC 16-149 (November 3rd, 2016)