



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 18-7
Released: January 2, 2018

NOTICE CONCERNING *EX PARTE* STATUS OF INFORMATION SUBMITTED TO THE DISABILITY ADVISORY COMMITTEE

The Disability Advisory Committee (Committee or DAC) was established in December 2014 to make recommendations to the Federal Communications Commission (FCC or Commission) on a wide array of disability matters within the jurisdiction of the Commission, and to facilitate the participation of people with disabilities in proceedings before the Commission. The Committee is organized under, and operated in accordance with, the provisions of the Federal Advisory Committee Act (FACA).¹ The Committee is now in its second term,² and has held three meetings during this term.³

Under the Federal Advisory Committee Act, the Commission is responsible for oversight of the DAC, including its subcommittees and working groups.⁴ FCC employees attend and participate in meetings and other activities held by the DAC, its subcommittees, and its working groups. Accordingly, we announce that, pursuant to section 1.1200(a) of the Commission's rules,⁵ presentations to the DAC, including its subcommittees and working groups, as well as presentations between FCC staff or Commissioners and members of the DAC, its subcommittees, or working groups, will be treated as exempt presentations for *ex parte* purposes. This exemption shall apply to presentations made during all DAC-related events, including meetings and any DAC-sponsored roundtable discussions. This treatment is appropriate because, as holds true for comments submitted in response to a Notice of Inquiry, presentations to the Committee will not directly result in the promulgation of new rules.⁶

We recognize, however, that issues addressed by the DAC may be the subject of pending FCC proceedings. The Commission will not rely in these proceedings on any information submitted to the DAC, or to any of its subcommittees, working groups, or sponsored roundtables, or on information conveyed by DAC 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.⁷

¹ 5 U.S.C. App. 2.

² *Appointment of Membership for the 2017-2019 Term of the Disability Advisory Committee and Announcement of Tentative Dates for DAC Meetings*, Public Notice, 32 FCC Rcd 116 (CGB 2017).

³ These meetings were held on March 21, June 16, and October 16, 2017.

⁴ See 5 U.S.C. App. 2.

⁵ 47 CFR § 1.200(a).

⁶ See 47 CFR § 1.1204(b)(1).

⁷ This notice updates a prior notice, released during the first term of the DAC, addressing the *ex parte* status of information submitted to or by the DAC. *Notice Regarding Ex Parte Status of Information Submitted to or by the Disability Advisory Committee*, Public Notice, 30 FCC Rcd 6233 (CGB 2015). The treatment of *ex parte*

Additional information regarding the DAC can be found at <https://www.fcc.gov/disability-advisory-committee>. For more information, contact Elaine Gardner, Designated Federal Official for the DAC at (202) 418-0581 or DAC@fcc.gov, or Will Schell, Alternate Designated Federal Official for the DAC at (202) 418-0767.

- FCC -

presentations specified in this notice shall apply to this and future terms of the DAC unless modified by a subsequent public notice.