



# PUBLIC NOTICE

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DA 19-560

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## NOTICE CONCERNING *EX PARTE* STATUS OF PRESENTATIONS RELATED TO BROADBAND DEPLOYMENT ADVISORY COMMITTEE

### GN Docket No. 17-83

The Federal Communications Commission (FCC or Commission) recently announced the next meeting of its Broadband Deployment Advisory Committee (Committee or BDAC), to be held on Thursday, June 13, 2019.<sup>1</sup> The mission of the BDAC is to craft recommendations for the Commission on ways to accelerate the deployment of high-speed Internet access, or “broadband,” by reducing and/or removing regulatory barriers to infrastructure investment and strengthening existing broadband networks in communities across the country. The BDAC is organized under, and operates in accordance with, the provisions of the Federal Advisory Committee Act (FACA).<sup>2</sup>

Pursuant to the FACA, the Commission is responsible for oversight of the BDAC, including its subcommittees and working groups.<sup>3</sup> As a result, FCC staff or Commissioners may participate in or attend meetings or other activities held by both the BDAC 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 CFR § 1.1200(a), presentations to the BDAC, including to its subcommittees and working groups, and at any roundtable discussions sponsored by the BDAC, as well as presentations between BDAC members (including members of any subcommittees or working groups) and FCC staff or Commissioners incidental to and in connection with such BDAC meetings or roundtable discussions, will be treated as exempt presentations for *ex parte* purposes. This exemption covers presentations from BDAC members to FCC staff and Commissioners in other settings only to the extent that the BDAC members are presenting the views of the BDAC or its working groups, as opposed to an individual member’s own views or that of a member’s organization. We find that this modification of the *ex parte* rules is in the public interest because it will allow the BDAC to develop and shape its advice and recommendations to the Commission more efficiently and effectively.

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

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<sup>1</sup> *FCC Announces Membership and First Meeting of the Re-Chartered Broadband Deployment Advisory Committee*, Public Notice, DA 19-432 (May 16, 2019).

<sup>2</sup> *See* 5 U.S.C. App. 2.

<sup>3</sup> *See id.*

conveyed by BDAC 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.<sup>4</sup>

Additional information regarding the BDAC can be found at <https://www.fcc.gov/broadband-deployment-advisory-committee>. You may also contact Justin L. Faulb, DFO of the BDAC, at 202-418-1589, or [Justin.Faulb@fcc.gov](mailto:Justin.Faulb@fcc.gov); Zach Ross, Deputy DFO, at 202-418-1033, or [Zachary.Ross@fcc.gov](mailto:Zachary.Ross@fcc.gov); or Darrel Pae, Deputy DFO, at 202-418-0687, or [Darrel.Pae@fcc.gov](mailto:Darrel.Pae@fcc.gov).

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<sup>4</sup> This notice updates a prior notice, released during a prior term of the BDAC, addressing the *ex parte* status of information submitted to or by the BDAC. *Notice Regarding Ex Parte Status of Information Submitted to the Broadband Deployment Advisory Committee*, GN Docket 17-38, Public Notice, 32 FCC Red 3147 (2017). The treatment of *ex parte* presentations specified in this notice shall apply to this and future terms of the BDAC unless modified by a subsequent public notice.