



PUBLIC NOTICE

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

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

DA 19-812
Released: August 23, 2019

NOTICE CONCERNING *EX PARTE* STATUS OF PRESENTATIONS RELATED TO THE CONSUMER ADVISORY COMMITTEE

The Federal Communications Commission (FCC or Commission) announces the next meeting of its Consumer Advisory Committee (CAC). The meeting will occur on Monday, September 16, 2019.¹ The mission of the CAC is to provide advice and recommendations to the Commission regarding consumer issues specified by the Commission and to facilitate the participation of consumers (including underserved populations, such as Native Americans, persons living in rural areas, older persons, people with disabilities, and persons for whom English is not their primary language) in proceedings before the Commission. The CAC is organized under, and operates in accordance with, the provisions of the Federal Advisory Committee Act (FACA).²

Pursuant to the FACA, the Commission is responsible for oversight of the CAC, 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 CAC 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 CAC, including to its subcommittees and working groups, and at any roundtable discussions sponsored by the CAC, as well as presentations between CAC members (including members of any subcommittees or working groups) and FCC staff or Commissioners incidental to and in connection with such CAC meetings or roundtable discussions, will be treated as exempt presentations for *ex parte* purposes.⁴ This exemption covers presentations from CAC members to FCC staff and Commissioners in other settings only to the extent that the CAC members are presenting the views of the CAC 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 CAC to develop and shape its advice and recommendations to the Commission more efficiently and effectively.

¹ *FCC Consumer Advisory Committee Announces, Date, Time, and Agenda of Next Meeting*, Public Notice, DA 19-782, 2019 WL 3933632 (August 16, 2019).

² *See* 5 U.S.C. App. 2.

³ *See id.*

⁴ Exempt presentations are not subject to the restrictions and reporting requirements that otherwise would apply to *ex parte* presentations and presentations made during the Sunshine Agenda Period. *See* 47 CFR § 1.1204(a) (providing that exempt *ex parte* presentations are not subject to the prohibitions in sections 1.1203 and 1.1208, and the disclosure requirements in section 1.1206); *see also* 47 CFR §§ 1.1202(a), (b) (definitions of "presentation" and "ex parte presentation").

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

Additional information regarding the CAC can be found at <https://www.fcc.gov/consumer-advisory-committee>. You may also contact Scott Marshall, Designated Federal Officer for the CAC, at (202) 418-2809 (voice/relay), email: Scott.Marshall@fcc.gov; or Christina Clearwater, Deputy Designated Federal Officer for the CAC, at (202) 418-1893 (voice/relay), email: Christina.Clearwater@fcc.gov.

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⁵ This notice updates a prior notice, released during a prior term of the CAC, addressing the *ex parte* status of information submitted to or by the CAC. *Notice Regarding Ex Parte Status of Information Submitted to or by the Consumer Advisory Committee*, Public Notice, DA 17-481, 32 FCC Rcd 4022 (CGB 2017). The treatment of *ex parte* presentations specified in this notice shall apply to this and future terms of the CAC unless modified by a subsequent public notice.