



# PUBLIC NOTICE

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## NOTICE CONCERNING *EX PARTE* STATUS OF PRESENTATIONS RELATED TO THE COMMUNICATIONS SECURITY, RELIABILITY, AND INTEROPERABILITY COUNCIL VIII

The Federal Communications Commission (FCC or Commission) recently held its first meeting of the Communications Security, Reliability, and Interoperability Council (CSRIC or Council) VIII, on Wednesday, September 22, 2021.<sup>1</sup> The mission of the CSRIC is to provide advice and recommendations to the Commission regarding ways the FCC can promote security, reliability, and interoperability of communications systems. The CSRIC 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 Council, including its working groups.<sup>3</sup> As a result, FCC staff or Commissioners may participate in or attend meetings or other activities held by the CSRIC 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 CSRIC, including to its subcommittees and working groups, and at any roundtable discussions sponsored by the CSRIC, as well as presentations between CSRIC members (including members of any subcommittees or working groups) and FCC staff or Commissioners incidental to and in connection with such CSRIC meetings or roundtable discussions, will be treated as exempt presentations for *ex parte* purposes.<sup>4</sup> This exemption covers presentations from CSRIC members to FCC staff and Commissioners in other settings only to the extent that the CSRIC members are presenting the views of the CSRIC 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 CSRIC to develop and shape its advice and recommendations to the Commission more efficiently and effectively.<sup>5</sup>

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<sup>1</sup> *FCC Announces the Membership And First Meeting Of The Communications Security, Reliability, And Interoperability Council VIII*, Public Notice, DA 21-1150 (September 14, 2021).

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

<sup>3</sup> *Federal Communications Commission, Communications Security, Reliability, and Interoperability Council, Notice of First Meeting*, 86 Fed. Reg 48702 (August 31, 2021) at 1.

<sup>4</sup> 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 §§ 1.1200(a), (b) (definitions of "presentation" and "ex parte presentation").

<sup>5</sup> 47 CFR §§ 1.1202(a) ("Where the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice.").

We recognize that some issues may be addressed by the Council that are the subject of pending FCC proceedings. The Commission will not rely in these proceedings on any information submitted to the CSRIC, or to any of its subcommittees, working groups, or sponsored roundtables, or information conveyed by Council 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>6</sup>

Additional information regarding the CSRIC can be found at <https://www.fcc.gov/about-fcc/advisory-committees/communications-security-reliability-and-interoperability-council-vii>. You may also contact Suzon Cameron, Designated Federal Officer (DFO) at (202) 418-1916 or Kurian Jacob, Deputy DFO at (202) 418-2040, or send an e-mail to [CSRIC@fcc.gov](mailto:CSRIC@fcc.gov).

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<sup>6</sup> This notice updates a prior notice, released during a prior term of the CSRIC, addressing the ex parte status of information submitted to or by the CSRIC. *Notice Regarding Ex Parte Status of Information Submitted to or by the Consumer Advisory Committee*, Public Notice, DA 17-481, 32 FCC Rcd 4022 (May 17, 2017). The treatment of ex parte presentations specified in this notice shall apply to this and future terms of the CSRIC unless modified by a subsequent public notice.