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Federal Communications Commission
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Washington, D. C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
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PROCEDURES ESTABLISHED TO DEAL WITH IMPROPER RELEASE OF NONPUBLIC INFORMATION

Washington, DC -- In order to safeguard the integrity of its deliberative processes, the FCC has amended its rules to establish a procedure to be followed by persons regulated by or practicing before the Commission who obtain written nonpublic information under circumstances where it appears that the release was either inadvertent or otherwise unauthorized.

In the item adopted today the Commission recognized that its rules restrict its personnel from releasing nonpublic information and expressed its commitment to enforce those rules vigorously.

However, while the current rules prohibit the unauthorized release of nonpublic information by Commission officials, they do not address the steps that are to be taken by persons regulated by or practicing before the Commission who receive such documents. The revised rules add language requiring persons regulated by or practicing before the Commission who receive written nonpublic information to return it to the Commission's Office of the Inspector General without further distribution or use of the material.

The amended rules also highlight the sanctions available to the Commission to address willful violation of the rules, either by employees of the Commission who release such nonpublic information without proper authorization or by individuals regulated by or practicing before the Commission who come into possession of such nonpublic information and fail to return it.

Action by the Commission October 12, 2000, by Order (FCC 00-365). Chairman Kennard, Commissioners Ness, Powell and Tristani, with Commissioner Furchtgott-Roth dissenting and Commissioners Furchtgott-Roth and Powell issuing separate statements.

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