

**In the Matter of Amendment of Section 19.735-203 of the Commission's Rules
Concerning Nonpublic Information**

Dissenting Statement of Commissioner Harold W. Furchtgott-Roth

The problem with the disclosure of non-public information – *i.e.*, leaks -- at this Commission is a cultural, not a regulatory, one. We already have on our books a clear proscription against the non-authorized disclosure of, among other things, the content of agenda items or actions taken by the Commission on circulation. *See* 47 C.F.R. section 19.735-203(a). Rather than burdening the communications industry and bar with yet another layer of regulation, the Commission should first enforce the existing rule. After all, leaks spring from the inside, not the outside, of this building.

Admittedly, it may be difficult to discern who is ultimately responsible for a given leak. But that just points up the fact that, in the end, we must rely upon the integrity of those who work at the Commission, and upon the leadership of those who head it, to ensure respectful observance of the non-disclosure rule. Unfortunately, the Commission in this item deflects from itself any responsibility for the many recent high-profile leaks that prompted today's action, instead reacting to those events by adopting new rules to govern the conduct of others. For these reasons, I respectfully dissent.