

**STATEMENT OF**  
**COMMISSIONER ROBERT M. McDOWELL**

RE: *Amendment of Certain of the Commission's Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization*, Notice of Proposed Rulemaking, FCC 10-32; *Amendment of the Commission's Ex Parte Rules and Other Procedural Rules*, Notice of Proposed Rulemaking, FCC 10-31.

Thank you to Mary Beth Richards, Steve Van Roeckel, Austin Schlick, Paul de Sa, and your teams for your efforts in reforming our agency. We are grateful for your energy, enthusiasm and creativity. Reform is not necessarily a flashy topic, but it is important work.

As you know, I have sought reform for some time now, first sharing my thoughts with then-Acting Chairman Copps last January, followed several months later with a letter to then-new Chairman Genachowski.

I applaud your efforts to boost employee morale and create a more collaborative decision-making process. We have published Commission meeting dates for the entire year. We have provided opportunities for comment from the public, as well as the Commission staff (anonymously). I also appreciate the ongoing efforts to update the Commission's IT and web systems, which were especially helpful during the government shut down due to the recent blizzards. And I am pleased to have had the opportunity to provide suggestions and to receive updates on the progress. Thank you also for your work to analyze the financial aspects of our agency. This is long overdue. I look forward to learning more about the KPMG audit, as well as the internal review of universal service funding systems.

Turning to today's notices, I thank my colleagues for supporting my suggestions to clarify and improve them. Needless to say, I am eager to engage with interested parties as we receive comments and suggestions. With respect to the notice regarding the Commission's *ex parte* rules, I'd like to flag a few issues.

At the outset, I will say that I am not convinced that our *ex parte* rules need to be changed. I am convinced, however, that we can and must step up our enforcement of the rules. During my tenure here, there have been some obvious examples of deficient filings. I hope, at long last, we will actually take formal action in those instances that merit doing so. I would imagine that tougher consequences would do more to deter bad behavior than any new rules.

Along these lines, I am interested in learning more about the consequences of not proposing rule changes that would address the *ex parte* implications of new media. I question whether we have created a back-door invitation for *ex parte* presentations that would otherwise be prohibited. What is the difference between a filing made during the Sunshine prohibition period through the Commission's electronic filing system and the same filing posted to one of our blogs?

Similarly, I am interested in learning more about the proposal to require the filing of ownership disclosures along with *ex parte* notices. First, the Commission currently requires several sets of licensees to regularly submit ownership information. Second, corporate ownership data is readily available not only within the FCC's own licensing systems, but also through SEC filings. Indeed, in the Internet age, one need only make a few additional clicks to find meaningful information on an unlimited number of topics. Finally, I wonder whether our proposals will treat participating parties in a neutral manner? In other words, will those entities with corporate form bear a heavier burden than those groups that may be

structured and funded differently? How will this effect participation in the Commission's processes? I look forward to exploring answers to these and many other questions to see whether we need to act further.

Thanks again to everyone that is assisting with our reform efforts. I appreciate your care and diligence, and look forward to future presentations.