

UNITED STATES GOVERNMENT

Memorandum

TO : Chairman Ferris

FROM : Commissioner James H. Quello

SUBJECT: "Ex Parte" Deliberations

DATE: June 8, 1978

The attached new legislative proposal on "contacts with parties in certain proceedings" was not available this morning and, thus, not considered in our "ex parte" deliberations and initial decision.

It represents the proposal of the House Communications Subcommittee for the Communications Act of 1978 after two years of deliberations and study.

It seems that this may be a less complicated, more feasible interim proceeding, pending final Congressional resolution and our own rulemaking.

James H. Quello
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cc: All Commissioners
General Counsel
All Bureau and Office Chiefs



5010-110

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1 participate in any hearing or other proceeding in which
2 he has any pecuniary interest.

3 CONTACTS WITH PARTIES IN CERTAIN PROCEEDINGS

4 SEC. 237. (a) If any commissioner or supervisory
5 employee initiates any communication with, or receives
6 any communication from, any interested party in any
7 adjudicatory proceeding before the Commission and such
8 communication occurs after the commencement of such
9 adjudicatory proceeding, then the commissioner or super-
10 visory employee shall furnish written notice of such com-
11 munication to any other interested party in such adjudicatory
12 proceeding.

13 (b) If any commissioner or supervisory employee
14 initiates any communication with, or receives any commu-
15 nication from, any person who has filed written comments
16 with the Commission relating to any rulemaking proceed-
17 ing of the Commission, then the commissioner or super-
18 visory employee shall furnish written notice of such com-
19 munication to any other person who has filed written com-
20 ments relating to such proceeding, if such communication
21 occurs after the record relating to such proceeding has been
22 closed by the Commission.

23 EFFECT ON OTHER LAWS

24 SEC. 238. Nothing in this part shall be construed to limit
25 the operation of section 907 or section 908 of title 18, United