

July 11, 2013

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554



Re: *Indecency Rules and an "Egregious Cases Policy" (GN Docket No. 13-86) & Noncommercial Educational Station Fundraising for Third-Party Non-Profit Organizations (MB Docket No. 12-106)*

Dear Ms. Dortch:

On July 11, 2013, Craig Parshall and Aaron Mercer of the National Religious Broadcasters (NRB) met with Matthew Berry, Chief of Staff for Commissioner Ajit Pai, regarding the Indecency Rules and an "Egregious Cases Policy" proceeding (GN Docket No. 13-86) and the Noncommercial Educational Station Fundraising for Third-Party Non-Profit Organizations proceeding (MB Docket No. 12-106).

Regarding GN Docket No. 13-86, NRB discussed its suggestions to the FCC as submitted in public comments filed with the Commission on June 17, 2013. Specifically, NRB respectfully opposes the idea that the Commission should adopt an "egregiousness" approach to actionable indecency, and instead advocates modifications to the FCC's indecency rules in a way that will comport with Supreme Court decisions, including the most recent one, *FCC v. Fox Television Stations, Inc.* 132 S. Ct. 2307 (2012). Notably, NRB urges the FCC to establish two narrow, very limited exceptions to prevent First Amendment challenges: a live news and serious value test, which are described in detail in NRB's publicly filed comments.

In addition, NRB was interested in the current status of the MB Docket No. 12-106 proceeding following the conclusion of the comment and reply-comment periods in the summer of 2012. NRB re-affirmed its support for the concept at the heart of this proceeding that on-air fundraising by NCE stations on behalf of non-profit groups will serve a vital public interest not only by facilitation of the charitable impulses of listeners and viewers, but also by aiding non-profit groups in meeting critical community needs. NRB publicly filed comments and reply-comments with the Commission on this subject on July 23, 2012 and August 21, 2012 respectively.

Pursuant to Section 1.1200, et seq., of the Commission's rules, a copy of this letter is being filed via ECFS with your office.

Respectfully submitted,

/s/ Aaron Mercer

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