

112TH CONGRESS
1ST SESSION

S. 611

To provide greater technical resources to FCC Commissioners.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Ms. SNOWE (for herself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide greater technical resources to FCC
Commissioners.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FCC Technical Exper-
5 tise Capacity Heightening Act” or the “FCC TECH Act”.

6 **SEC. 2. APPOINTMENT OF TECHNICAL STAFF.**

7 Section 4(f)(2) of the Communications Act of 1934
8 (47 U.S.C. 154(f)(2)) is amended by inserting after the
9 first sentence the following new sentence: “Each commis-
10 sioner may also appoint an electrical engineer or computer

1 scientist to provide the commissioner technical consulta-
 2 tion when appropriate and to interface with the Office of
 3 Engineering and Technology, Commission Bureaus, and
 4 other technical staff of the Commission for additional
 5 technical input and resources, provided that such engineer
 6 or scientist holds an undergraduate or graduate degree
 7 from an institution of higher education in their respective
 8 field of expertise.”.

9 **SEC. 3. TECHNICAL POLICY AND PERSONNEL STUDY.**

10 (a) STUDY.—

11 (1) REQUIREMENTS OF STUDY.—The Chairman
 12 of the Federal Communications Commission (here-
 13 after in this section referred to as the “Commis-
 14 sion”) shall enter into an arrangement with the Na-
 15 tional Academy of Sciences to complete a study of
 16 the technical policy decisionmaking and the technical
 17 personnel at the Commission.

18 (2) CONTENTS.—The study required under
 19 paragraph (1) shall—

20 (A) review the technical policy decision-
 21 making of the Commission, including if the
 22 Commission has the adequate resources and
 23 processes in place to properly evaluate and ac-
 24 count for the technical aspects and impact of
 25 the Commission’s regulatory rulemaking;

1 (B) review—

2 (i) the timeliness of the rulemaking
3 process utilized by the Commission; and

4 (ii) the impact of regulatory delay on
5 telecommunications innovation;

6 (C) based upon the review undertaken pur-
7 suant to subparagraph (B), make recommenda-
8 tions for the Commission to streamline its rule-
9 making process;

10 (D) evaluate the current staffing levels and
11 skill sets of technical personnel at the Commis-
12 sion to determine if such staffing levels and
13 skill sets are aligned with the current and fu-
14 ture needs of the Commission, as well as with
15 current and future issues that come or may
16 come under the jurisdiction of the Commission
17 and shall include a recommendation on the ap-
18 propriate number or percentage of technical
19 personnel that should constitute the Commis-
20 sion workforce;

21 (E) examine the current technical staff
22 and engineering recruiting procedures at the
23 Commission and make recommendations on how
24 the Commission can improve its efforts to hire

1 and retain engineers and other technical staff
2 members;

3 (F) examine—

4 (i) the reliance of the Commission on
5 external contractors in the development of
6 policy and in evaluating the technical as-
7 pects of services, devices, and issues that
8 arise under the jurisdiction of the Commis-
9 sion; and

10 (ii) the potential costs and benefits of
11 the development of “in-house” resources to
12 perform the duties that are currently being
13 outsourced to external contractors; and

14 (G) compare the decisionmaking process of
15 the Commission with the decisionmaking proc-
16 ess used by similar regulatory authorities in
17 other industrialized countries, including the Eu-
18 ropean Union, Japan, Canada, Australia, and
19 the United Kingdom.

20 (b) REPORT.—The Commission shall transmit a re-
21 port describing the results of the study and recommenda-
22 tions required by subsection (a) to the Committee on Com-
23 merce, Science, and Transportation of the Senate and the
24 Committee on Energy and Commerce of the House of
25 Representatives.

1 (c) OFFSET OF ADMINISTRATIVE COSTS.—Section
2 4(a) of Public Law 109–34 (47 U.S.C. 703(a)) is amended
3 by striking “annual” and inserting “biennial”.

○