

Calendar No. 521

111TH CONGRESS
2^D SESSION**S. 2881****[Report No. 111–251]**

To provide greater technical resources to FCC Commissioners.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2009

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

AUGUST 5, 2010

Reported by Mr. ROCKEFELLER, with an amendment

[Strike all after the enacting clause and insert the part printed in *italic*]**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 Commissioners’
5 Technical Resource Enhancement Act”.

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

2 Section 4(f)(2) of the Communications Act of 1934
 3 (47 U.S.C. 154(f)(2)) is amended by inserting after the
 4 first sentence the following new sentence: “Each commis-
 5 sioner may also appoint an electrical engineer or computer
 6 scientist to provide the commissioner technical consulta-
 7 tion when appropriate and to interface with the Office of
 8 Engineering and Technology, Commission Bureaus, and
 9 other technical staff of the Commission for additional
 10 technical input and resources, provided that such engineer
 11 or scientist holds an undergraduate or graduate degree
 12 from an institution of higher education in their respective
 13 field of expertise.”.

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “FCC Commissioners’*
 16 *Technical Resource Enhancement Act”.*

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

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 20 *sentence the following new sentence: “Each commissioner*
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 25 *technical staff of the Commission for additional technical*
 26 *input and resources, provided that such engineer or sci-*

1 *entist holds an undergraduate or graduate degree from an*
 2 *institution of higher education in their respective field of*
 3 *expertise.”.*

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

5 *(a) STUDY.—*

6 *(1) REQUIREMENT.—The Chairman of the Fed-*
 7 *eral Communications Commission (hereafter in this*
 8 *section referred to as the “Commission”) shall enter*
 9 *into an arrangement with the National Academy of*
 10 *Sciences to complete a study of the technical policy*
 11 *decisionmaking and the technical personnel at the*
 12 *Commission.*

13 *(2) CONTENTS.—The study required under para-*
 14 *graph (1) shall—*

15 *(A) review technical policy decision making*
 16 *of the Commission, including if the Commission*
 17 *has the adequate resources and processes in place*
 18 *to properly evaluate and account for the tech-*
 19 *nical aspects and impact of the Commission’s*
 20 *regulatory rulemaking;*

21 *(B) review—*

22 *(i) the timeliness of the rulemaking*
 23 *process utilized by the Commission; and*

24 *(ii) the impact of regulatory delay on*
 25 *telecommunications innovation;*

1 (C) based upon the review undertaken pur-
2 suant to subparagraph (B), make recommenda-
3 tions for the Commission to streamline its rule-
4 making process;

5 (D) evaluate the current staffing levels and
6 skill sets of technical personnel at the Commis-
7 sion to determine if such staffing levels and skill
8 sets are aligned with the current and future
9 needs of the Commission, as well as with current
10 and future issues that come or may come under
11 the jurisdiction of the Commission;

12 (E) examine the current technical staff and
13 engineering recruiting procedures at the Com-
14 mission and make recommendations on how the
15 Commission can improve its efforts to hire and
16 retain engineers and other technical staff mem-
17 bers;

18 (F) examine—

19 (i) the reliance of the Commission on
20 external contractors in the development of
21 policy and in evaluating the technical as-
22 pects of services, devices, and issues that
23 arise under the jurisdiction of the Commis-
24 sion; and

1 (ii) the potential costs and benefits of
2 the development of “in-house” resources to
3 perform the duties that are currently being
4 outsourced to external contractors; and

5 (G) compare the decisionmaking process of
6 the Commission with the decisionmaking process
7 used by similar regulatory authorities in other
8 industrialized countries, including the European
9 Union, Japan, Canada, Australia, and the
10 United Kingdom.

11 (b) *REPORT*.—Not later than 18 months after the date
12 of enactment of this Act, the Commission shall transmit a
13 report describing the results of the study and recommenda-
14 tions required by subsection (a) to the Committee on Com-
15 merce, Science, and Transportation of the Senate and the
16 Committee on Energy and Commerce of the House of Rep-
17 resentatives.

18 (c) *AUTHORIZATION OF APPROPRIATIONS*.—There are
19 authorized to be appropriated to the Chairman of the Com-
20 mission for carrying out this section \$1,000,000 for fiscal
21 years 2011 and 2012.

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