

# The U.S. Federal Communications Commission: Structure and Functions

International Bureau  
Federal Communications Commission



## Introduction

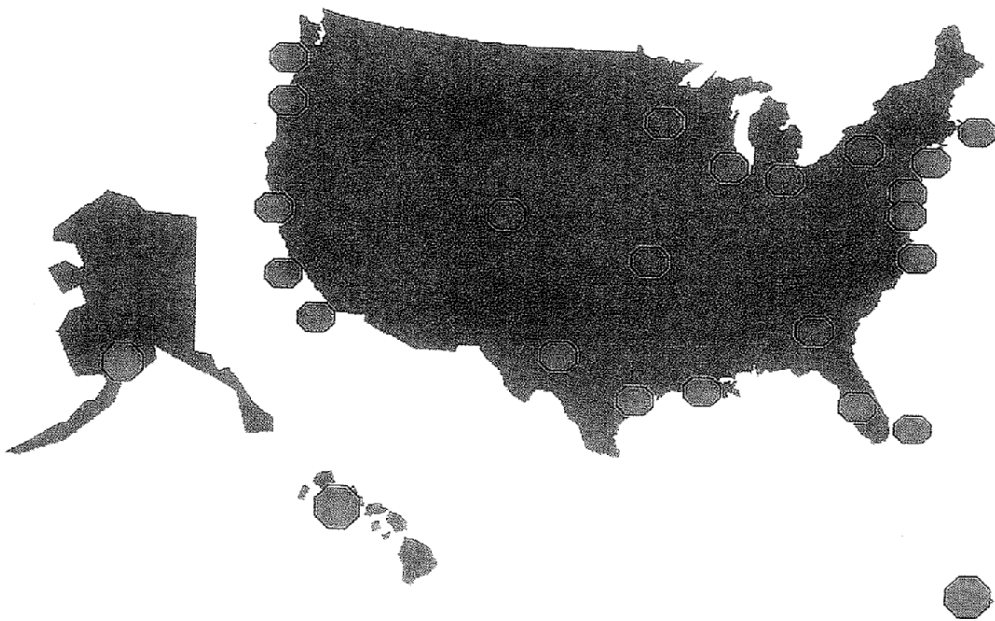
- FCC established by the Communications Act of 1934
- FCC regulates television, radio, wireline, satellite and cable in all of the 50 states and U.S. territories

## [ FCC Staff ]

- Approximately 1800 people
- 1600 in Washington, D.C.
- Remainder in Columbia, MD; Gettysburg, PA; and in field offices across the country

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## [ FCC Field Offices (25) ]



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## [ An Independent Agency ]

- Independent of the Executive Branch
  - Directly responsible to Congress, not President
- FCC is clearly separated from regulated companies
  - No goal to promote individual companies
  - Ethics: FCC employees may not hold financial interests in companies subject to regulation by FCC
- Allows the FCC to put the public interest first

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## [ Congressional Oversight ]

- Oversight Committees in Both Houses
  - Senate Commerce, Science, and Transportation Sub-Committee on Communications
  - House Energy and Commerce Sub-Committee on Telecommunications and the Internet
- Appropriations Committees in Both Houses

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## Congressional Oversight

- Congress may request FCC act on a specific issue
- Congress may invite Chairman and Commissioners to testify at a hearing
- Congress may pass legislation that nullifies or modifies an FCC rule

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## FCC's Jurisdiction

- Shared jurisdiction with states
  - States have jurisdiction over intra-state communications
  - FCC has jurisdiction over inter-state and international communications

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## [ FCC's Jurisdiction ]

- State regulators are independent
  - Report only to state governments
- FCC, state and local regulators do cooperate
  - Intergovernmental Advisory Committee
  - Federal-State Universal Service Joint Board
  - Federal-State Joint Conference on Advanced Telecom Services

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## [ FCC's Jurisdiction ]

- FCC handles commercial spectrum allocation and assignments
  - Dept. of Commerce's National Telecommunications and Information Administration (NTIA) handles government allocations

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## FCC's Leadership

- FCC has 5 Commissioners
  - Nominated by President
  - Confirmed by Senate
- Maximum of 3 Commissioners from President's political party
- One Commissioner designated as Chairman by President

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## FCC's Leadership

- Commissioners serve staggered 5-year terms
- Can only be removed for malfeasance
- Commissioners operate under "Government in the Sunshine Act"
  - Law opens government to public inspection
  - Must hold a monthly meeting, open to the Public

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## [ FCC's Goals ]

- Broadband
- Competition
- Spectrum
- Media
- Public Safety and Homeland Security
- Modernize the FCC

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## [ Licensing ]

- Goals
  - Fairness
  - Transparency
  - Consistency
  - Timeliness

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## Domestic Wireline

- Includes local and long distance
- No licensing requirement
  - Blanket grant of authority
  - No limit to number of operators

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## International Long Distance

- License is required
  - No expiration of authorization
- Processing:

### Streamlined

- Application placed on public notice (PN) and automatically granted on the 14<sup>th</sup> day from the date of the PN
- If objections are filed, FCC may move application to non-streamlined status
- PN granting streamlined applications serves as authorization certificate

### Non-Streamlined

- Applications are placed on PN seeking comment
- Within 90 days, FCC will take action, or provide notice for another 90 days
- Decision generally by written order

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## Wireless

- License required
  - Term generally 10 years
- Most commercial spectrum distributed by auctions
  - No technology mandates
  - Not public safety and education spectrum

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## Satellite

- Space Stations
  - License required
    - 10-15 years
- Earth Stations
  - License required
    - 10-15 years

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## [ FCC's Delegated Authority ]

- Statute allows FCC to delegate certain authority to the Bureaus and Offices
  - Commission decides issues of first impression
  - Bureaus/Offices handle routine matters
  - Parties may ask FCC to initiate rulemakings and to review Bureau/Office decisions

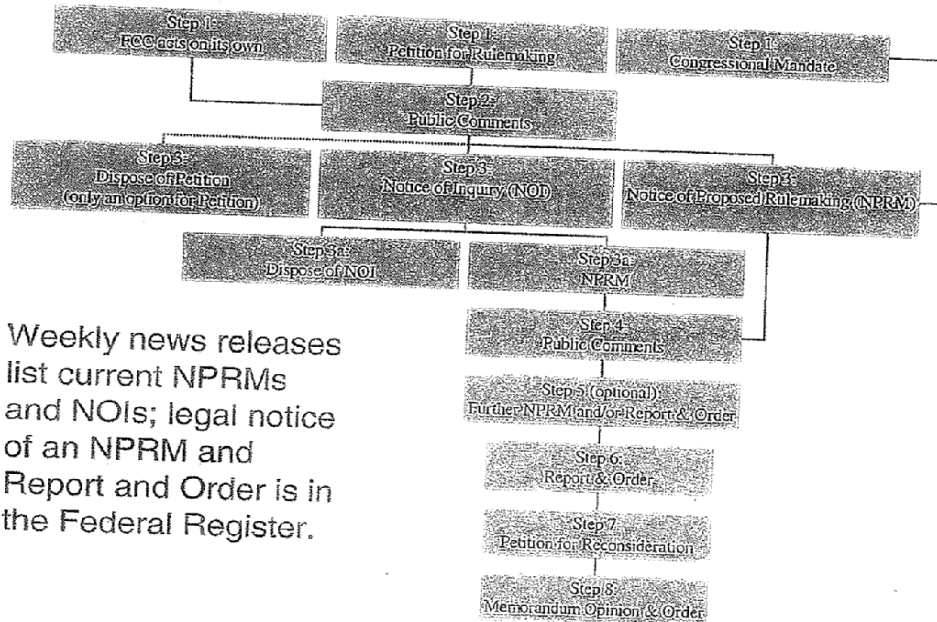
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## [ FCC Rulemaking Process ]

- Administrative Procedures Act
  - Establishes the protocols for agency rulemaking and decisions in agency enforcement proceedings
    - Governs FCC rulemaking process
  - Provides for direct judicial review of agency action in the D.C. Circuit Court and on appeal to the Supreme Court

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# FCC Rulemaking Process



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# Appeals

- Parties can appeal an FCC decision to the Washington, D.C. Circuit Court
- Court can uphold the regulation as a valid exercise of statutory authority by the agency, or it can remand back to the agency for further consideration and information gathering.
- Decisions and rules must be sufficiently justified by the agency to withstand judicial review.

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Thank you!

For more information, refer to:

[www.fcc.gov](http://www.fcc.gov)

