

ONE HUNDRED FIFTHTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

MEMORANDUM

October 7, 2017

To: Subcommittee on Communications and Technology Democratic Members and Staff
Fr: Committee on Energy and Commerce Democratic Staff
Re: Subcommittee Markup on Legislation to Reauthorize the Federal Communications Commission

On **Wednesday, October 11, 2017 at 1:00 p.m. in room 2123 of the Rayburn House Office Building**, the Subcommittee on Communications and Technology will hold a markup on legislation to reauthorize the Federal Communications Commission.

I. BACKGROUND

The Federal Communications Commission (FCC) is an independent federal agency charged with the authority to regulate communications by wire or radio.¹ While the agency is funded by the fees paid annually by regulatees,² the agency's operating expenses are nevertheless subject to the annual appropriations process.³ The FCC's most recent full authorization expired in 1991.⁴ That authorization was for \$119,831,000.

II. DRAFT REAUTHORIZATION BILL

The Majority released an FCC reauthorization discussion draft on July 18. Among other things, that discussion draft would:

- (1) Provide a \$322 million authorization level for appropriated funding for fiscal years 2018 to 2022;

¹ 47 U.S.C. § 152.

² 47 U.S.C. § 159.

³ See generally *Consolidated Appropriations Act, 2016*, Pub. L. 114-0113, 129 Stat. 2449 (2015).

⁴ *Federal Communications Commission Authorization Act of 1990*, Pub. L. 101-396, 104 Stat. 848 (1990).

- (2) Bring the regulatory fees and application fees collected by the FCC under the same section of the Communications Act;
- (3) Reform FCC processes by including the text of H.R. 290, the FCC Process Reform Act of 2016 that the House passed earlier this year and by including process reforms previously not included in H.R. 290. Specifically, the draft would require the FCC to conduct a cost-benefit analysis for any new rule or rule change that may have an “economically significant impact”;
- (4) Modify the appointment structure of the FCC’s Inspector General, making that position independent and appointed by the President;
- (5) Promote the FCC’s Chief Information Officer (CIO), giving the CIO a role in advising on and approving the FCC’s information technology budget;
- (6) Roll back the newspaper-broadcast cross-ownership rule that prohibits the ownership of a daily newspaper and a full-power broadcast station (AM or FM or TV) in the same market; and
- (7) Require that the FCC establish an Office of Economics and Data.