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(Original Signature of Member)

113TH CONGRESS  
1ST SESSION

**H. R.** 3675

To amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission.

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IN THE HOUSE OF REPRESENTATIVES

Mr. WALDEN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission.

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 “Federal Communica-  
5 tions Commission Process Reform Act of 2013”.

1 **SEC. 2. FCC PROCESS REFORM.**

2 (a) IN GENERAL.—Title I of the Communications Act  
3 of 1934 (47 U.S.C. 151 et seq.) is amended by inserting  
4 after section 12 the following new section:

5 **“SEC. 13. TRANSPARENCY AND EFFICIENCY.**

6 “(a) RULEMAKING REQUIREMENTS.—

7 “(1) REQUIREMENTS FOR NOTICES OF PRO-  
8 POSED RULEMAKING.—The Commission may not  
9 issue a notice of proposed rulemaking unless the  
10 Commission provides for a period of not less than 30  
11 days for the submission of comments and an addi-  
12 tional period of not less than 30 days for the sub-  
13 mission of reply comments on such notice and the  
14 Commission includes in such notice the following:

15 “(A) Either—

16 “(i) an identification of—

17 “(I) a notice of inquiry, a prior  
18 notice of proposed rulemaking, or a  
19 notice on a petition for rulemaking  
20 issued by the Commission during the  
21 3-year period preceding the issuance  
22 of the notice of proposed rulemaking  
23 concerned and of which such notice is  
24 a logical outgrowth; or

25 “(II) an order of a court review-  
26 ing action by the Commission or oth-

1                   erwise directing the Commission to  
2                   act that was issued by the court dur-  
3                   ing the 3-year period preceding the  
4                   issuance of the notice of proposed  
5                   rulemaking concerned and in response  
6                   to which such notice is being issued;  
7                   or

8                   “(ii) a finding (together with a brief  
9                   statement of reasons therefor)—

10                   “(I) that the proposed rule or the  
11                   proposed amendment of an existing  
12                   rule will not impose additional bur-  
13                   dens on industry or consumers; or

14                   “(II) for good cause, that a no-  
15                   tice of inquiry is impracticable, unnec-  
16                   essary, or contrary to the public inter-  
17                   est.

18                   “(B) The specific language of the proposed  
19                   rule or the proposed amendment of an existing  
20                   rule.

21                   “(C) In the case of a proposal to create a  
22                   program activity, proposed performance meas-  
23                   ures for evaluating the effectiveness of the pro-  
24                   gram activity.

1           “(D) In the case of a proposal to substan-  
2           tially change a program activity—

3                   “(i) proposed performance measures  
4                   for evaluating the effectiveness of the pro-  
5                   gram activity as proposed to be changed;  
6                   or

7                   “(ii) a proposed finding that existing  
8                   performance measures will effectively  
9                   evaluate the program activity as proposed  
10                  to be changed.

11           “(2) REQUIREMENTS FOR RULES.—Except as  
12           provided in the 3rd sentence of section 553(b) of  
13           title 5, United States Code, the Commission may not  
14           adopt or amend a rule unless—

15                   “(A) the specific language of the adopted  
16                   rule or the amendment of an existing rule is a  
17                   logical outgrowth of the specific language of a  
18                   proposed rule or a proposed amendment of an  
19                   existing rule included in a notice of proposed  
20                   rulemaking, as described in subparagraph (B)  
21                   of paragraph (1);

22                   “(B) such notice of proposed rulemaking—

23                           “(i) was issued in compliance with  
24                           such paragraph and during the 3-year pe-

1           riod preceding the adoption of the rule or  
2           the amendment of an existing rule; and

3                   “(ii) is identified in the order making  
4           the adoption or amendment;

5                   “(C) in the case of the adoption of a rule  
6           or the amendment of an existing rule that may  
7           have an economically significant impact, the  
8           order contains—

9                   “(i) an identification and analysis of  
10           the specific market failure, actual con-  
11           sumer harm, burden of existing regulation,  
12           or failure of public institutions that war-  
13           rants the adoption or amendment;

14                   “(ii) a reasoned determination that  
15           the benefits of the adopted rule or the  
16           amendment of an existing rule justify its  
17           costs (recognizing that some benefits and  
18           costs are difficult to quantify), taking into  
19           account alternative forms of regulation and  
20           the need to tailor regulation to impose the  
21           least burden on society, consistent with ob-  
22           taining regulatory objectives; and

23                   “(iii) a reasoned determination that  
24           market forces are unlikely to resolve within  
25           a reasonable period of time the specific

1 market failure, actual consumer harm, bur-  
2 den of existing regulation, or failure of  
3 public institutions identified under clause  
4 (i);

5 “(D) in the case of the adoption of a rule  
6 or the amendment of an existing rule that cre-  
7 ates a program activity, the order contains per-  
8 formance measures for evaluating the effective-  
9 ness of the program activity; and

10 “(E) in the case of the adoption of a rule  
11 or the amendment of an existing rule that sub-  
12 stantially changes a program activity, the order  
13 contains—

14 “(i) performance measures for evalu-  
15 ating the effectiveness of the program ac-  
16 tivity as changed; or

17 “(ii) a finding that existing perform-  
18 ance measures will effectively evaluate the  
19 program activity as changed.

20 “(3) DATA FOR PERFORMANCE MEASURES.—  
21 The Commission shall develop a performance meas-  
22 ure or proposed performance measure required by  
23 this subsection to rely, where possible, on data al-  
24 ready collected by the Commission.

1           “(4) COST-BENEFIT DETERMINATION NOT SUB-  
2           JECT TO JUDICIAL REVIEW.—A determination under  
3           paragraph (2)(C)(ii) shall not be subject to judicial  
4           review.

5           “(b) ADEQUATE DELIBERATION BY COMMIS-  
6           SIONERS.—The Commission shall by rule establish proce-  
7           dures for—

8           “(1) informing all Commissioners of a reason-  
9           able number of options available to the Commission  
10          for resolving a petition, complaint, application, rule-  
11          making, or other proceeding;

12          “(2) ensuring that all Commissioners have ade-  
13          quate time, prior to being required to decide a peti-  
14          tion, complaint, application, rulemaking, or other  
15          proceeding (including at a meeting held pursuant to  
16          section 5(d)), to review the proposed Commission de-  
17          cision document, including the specific language of  
18          any proposed rule or any proposed amendment of an  
19          existing rule; and

20          “(3) publishing the text of agenda items to be  
21          voted on at an open meeting in advance of such  
22          meeting so that the public has the opportunity to  
23          read the text before a vote is taken.

24          “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

1           “(1) IN GENERAL.—Notwithstanding section  
2           552b of title 5, United States Code, a bipartisan  
3           majority of Commissioners may hold a meeting that  
4           is closed to the public to discuss official business  
5           if—

6                   “(A) a vote or any other agency action is  
7                   not taken at such meeting;

8                   “(B) each person present at such meeting  
9                   is a Commissioner, an employee of the Commis-  
10                  sion, a member of a joint board or conference  
11                  established under section 410, or a person on  
12                  the staff of such a joint board or conference or  
13                  of a member of such a joint board or con-  
14                  ference; and

15                  “(C) an attorney from the Office of Gen-  
16                  eral Counsel of the Commission is present at  
17                  such meeting.

18           “(2) DISCLOSURE OF NONPUBLIC COLLABO-  
19           RATIVE DISCUSSIONS.—Not later than 2 business  
20           days after the conclusion of a meeting held under  
21           paragraph (1), the Commission shall publish a dis-  
22           closure of such meeting, including—

23                   “(A) a list of the persons who attended  
24                   such meeting; and

1           “(B) a summary of the matters discussed  
2           at such meeting, except for such matters as the  
3           Commission determines may be withheld under  
4           section 552b(c) of title 5, United States Code.

5           “(3) PRESERVATION OF OPEN MEETINGS RE-  
6           QUIREMENTS FOR AGENCY ACTION.—Nothing in this  
7           subsection shall limit the applicability of section  
8           552b of title 5, United States Code, with respect to  
9           a meeting of Commissioners other than that de-  
10          scribed in paragraph (1).

11          “(d) INITIATION OF ITEMS BY BIPARTISAN MAJOR-  
12          ITY.—The Commission shall by rule establish procedures  
13          for allowing a bipartisan majority of Commissioners to—

14               “(1) direct Commission staff to draft an order,  
15               decision, report, or action for review by the Commis-  
16               sion; and

17               “(2) place an order, decision, report, or action  
18               on the agenda of an open meeting.

19          “(e) PUBLIC REVIEW OF CERTAIN REPORTS AND EX  
20          PARTE COMMUNICATIONS.—

21               “(1) IN GENERAL.—Except as provided in para-  
22               graph (2), the Commission may not rely, in any  
23               order, decision, report, or action, on—

24               “(A) a statistical report or report to Con-  
25               gress, unless the Commission has published and

1           made such report available for comment for not  
2           less than a 30-day period prior to the adoption  
3           of such order, decision, report, or action; or

4                   “(B) an ex parte communication or any fil-  
5           ing with the Commission, unless the public has  
6           been afforded adequate notice of and oppor-  
7           tunity to respond to such communication or fil-  
8           ing, in accordance with procedures to be estab-  
9           lished by the Commission by rule.

10           “(2) EXCEPTION.—Paragraph (1) does not  
11           apply when the Commission for good cause finds  
12           (and incorporates the finding and a brief statement  
13           of reasons therefor in the order, decision, report, or  
14           action) that publication or availability of a report  
15           under subparagraph (A) of such paragraph or notice  
16           of and opportunity to respond to an ex parte com-  
17           munication under subparagraph (B) of such para-  
18           graph are impracticable, unnecessary, or contrary to  
19           the public interest.

20           “(f) PUBLICATION OF STATUS OF CERTAIN PRO-  
21           CEEDINGS AND ITEMS.—The Commission shall by rule es-  
22           tablish procedures for publishing the status of all open  
23           rulemaking proceedings and all proposed orders, decisions,  
24           reports, or actions on circulation for review by the Com-  
25           missioners, including which Commissioners have not cast

1 a vote on an order, decision, report, or action that has  
2 been on circulation for more than 60 days.

3 “(g) DEADLINES FOR ACTION.—The Commission  
4 shall by rule establish deadlines for any Commission order,  
5 decision, report, or action for each of the various cat-  
6 egories of petitions, applications, complaints, and other fil-  
7 ings seeking Commission action, including filings seeking  
8 action through authority delegated under section 5(c)(1).

9 “(h) PROMPT RELEASE OF CERTAIN REPORTS AND  
10 DECISION DOCUMENTS.—

11 “(1) STATISTICAL REPORTS AND REPORTS TO  
12 CONGRESS.—

13 “(A) RELEASE SCHEDULE.—Not later  
14 than January 15th of each year, the Commis-  
15 sion shall identify, catalog, and publish an an-  
16 ticipated release schedule for all statistical re-  
17 ports and reports to Congress that are regularly  
18 or intermittently released by the Commission  
19 and will be released during such year.

20 “(B) PUBLICATION DEADLINES.—The  
21 Commission shall publish each report identified  
22 in a schedule published under subparagraph (A)  
23 not later than the date indicated in such sched-  
24 ule for the anticipated release of such report.

1           “(2) DECISION DOCUMENTS.—The Commission  
2 shall publish each order, decision, report, or action  
3 not later than 30 days after the date of the adoption  
4 of such order, decision, report, or action.

5           “(3) EFFECT IF DEADLINES NOT MET.—

6           “(A) NOTIFICATION OF CONGRESS.—If the  
7 Commission fails to publish an order, decision,  
8 report, or action by a deadline described in  
9 paragraph (1)(B) or (2), the Commission shall,  
10 not later than 7 days after such deadline and  
11 every 14 days thereafter until the publication of  
12 the order, decision, report, or action, notify by  
13 letter the chairpersons and ranking members of  
14 the Committee on Energy and Commerce of the  
15 House of Representatives and the Committee  
16 on Commerce, Science, and Transportation of  
17 the Senate. Such letter shall identify such  
18 order, decision, report, or action, specify the  
19 deadline, describe the reason for the delay, and  
20 indicate when the Commission anticipates that  
21 such order, decision, report, or action will be  
22 published. The Commission shall publish such  
23 letter.

24           “(B) NO IMPACT ON EFFECTIVENESS.—  
25 The failure of the Commission to publish an

1 order, decision, report, or action by a deadline  
2 described in paragraph (1)(B) or (2) shall not  
3 render such order, decision, report, or action in-  
4 effective when published.

5 “(i) BIENNIAL SCORECARD REPORTS.—

6 “(1) IN GENERAL.—For the 6-month period be-  
7 ginning on January 1st of each year and the 6-  
8 month period beginning on July 1st of each year,  
9 the Commission shall prepare a report on the per-  
10 formance of the Commission in conducting its pro-  
11 ceedings and meeting the deadlines established  
12 under subsections (g), (h)(1)(B), and (h)(2).

13 “(2) CONTENTS.—Each report required by  
14 paragraph (1) shall contain detailed statistics on  
15 such performance, including, with respect to each  
16 Bureau of the Commission—

17 “(A) in the case of performance in meeting  
18 the deadlines established under subsection (g),  
19 with respect to each category established under  
20 such subsection—

21 “(i) the number of petitions, applica-  
22 tions, complaints, and other filings seeking  
23 Commission action that were pending on  
24 the last day of the period covered by such  
25 report;

1           “(ii) the number of filings described  
2           in clause (i) that were not resolved by the  
3           deadlines established under such sub-  
4           section and the average length of time  
5           such filings have been pending; and

6           “(iii) for petitions, applications, com-  
7           plaints, and other filings seeking Commis-  
8           sion action that were resolved during such  
9           period, the average time between initiation  
10          and resolution and the percentage resolved  
11          by the deadlines established under such  
12          subsection;

13          “(B) in the case of proceedings before an  
14          administrative law judge—

15                 “(i) the number of such proceedings  
16                 completed during such period; and

17                 “(ii) the number of such proceedings  
18                 pending on the last day of such period; and

19                 “(C) the number of independent studies or  
20                 analyses published by the Commission during  
21                 such period.

22          “(3) PUBLICATION AND SUBMISSION.—The  
23          Commission shall publish and submit to the Com-  
24          mittee on Energy and Commerce of the House of  
25          Representatives and the Committee on Commerce,

1 Science, and Transportation of the Senate each re-  
2 port required by paragraph (1) not later than the  
3 date that is 30 days after the last day of the period  
4 covered by such report.

5 “(j) TRANSACTION REVIEW STANDARDS.—

6 “(1) IN GENERAL.—The Commission shall con-  
7 dition its approval of a transfer of lines, a transfer  
8 of licenses, or any other transaction under section  
9 214, 309, or 310 or any other provision of this Act  
10 only if—

11 “(A) the imposed condition is a remedy to  
12 a harm that would likely arise as a direct result  
13 of the specific transfer or specific transaction  
14 that this Act empowers the Commission to re-  
15 view;

16 “(B) the Commission could impose a simi-  
17 lar requirement under the authority of a spe-  
18 cific provision of law other than a provision em-  
19 powering the Commission to review a transfer  
20 of lines, a transfer of licenses, or other trans-  
21 action; and

22 “(C) the likely harm described in subpara-  
23 graph (A) is presented by the specific transfer  
24 of lines, transfer of licenses, or other trans-  
25 action, such that the harm is not presented by

1 persons not involved in the transfer or other  
2 transaction.

3 “(2) EXCLUSIONS.—In reviewing a transfer of  
4 lines, a transfer of licenses, or any other transaction  
5 under section 214, 309, or 310 or any other provi-  
6 sion of this Act, the Commission may not consider  
7 a voluntary commitment of a party to such transfer  
8 or transaction unless the Commission could adopt  
9 that voluntary commitment as a condition under  
10 paragraph (1).

11 “(k) ACCESS TO CERTAIN INFORMATION ON COMMIS-  
12 SION’S WEBSITE.—The Commission shall provide direct  
13 access from the homepage of its website to—

14 “(1) detailed information regarding—

15 “(A) the budget of the Commission for the  
16 current fiscal year;

17 “(B) the appropriations for the Commis-  
18 sion for such fiscal year; and

19 “(C) the total number of full-time equiva-  
20 lent employees of the Commission; and

21 “(2) the performance plan most recently made  
22 available by the Commission under section 1115(b)  
23 of title 31, United States Code.

24 “(l) FEDERAL REGISTER PUBLICATION.—

1           “(1) IN GENERAL.—In the case of any docu-  
2           ment adopted by the Commission that the Commis-  
3           sion is required, under any provision of law, to pub-  
4           lish in the Federal Register, the Commission shall,  
5           not later than the date described in paragraph (2),  
6           complete all Commission actions necessary for such  
7           document to be so published.

8           “(2) DATE DESCRIBED.—The date described in  
9           this paragraph is the earlier of—

10                   “(A) the day that is 45 days after the date  
11                   of the release of the document; or

12                   “(B) the day by which such actions must  
13                   be completed to comply with any deadline under  
14                   any other provision of law.

15           “(3) NO EFFECT ON DEADLINES FOR PUBLICA-  
16           TION IN OTHER FORM.—In the case of a deadline  
17           that does not specify that the form of publication is  
18           publication in the Federal Register, the Commission  
19           may comply with such deadline by publishing the  
20           document in another form. Such other form of publi-  
21           cation does not relieve the Commission of any Fed-  
22           eral Register publication requirement applicable to  
23           such document, including the requirement of para-  
24           graph (1).

25           “(m) CONSUMER COMPLAINT DATABASE.—

1           “(1) IN GENERAL.—In evaluating and proc-  
2           essing consumer complaints, the Commission shall  
3           present information about such complaints in a pub-  
4           licly available, searchable database on its website  
5           that—

6                   “(A) facilitates easy use by consumers; and

7                   “(B) to the extent practicable, is sortable  
8           and accessible by—

9                           “(i) the date of the filing of the com-  
10                           plaint;

11                           “(ii) the topic of the complaint;

12                           “(iii) the party complained of; and

13                           “(iv) other elements that the Commis-  
14                           sion considers in the public interest.

15           “(2) DUPLICATIVE COMPLAINTS.—In the case  
16           of multiple complaints arising from the same alleged  
17           misconduct, the Commission shall be required to in-  
18           clude only information concerning one such com-  
19           plaint in the database described in paragraph (1).

20           “(n) FORM OF PUBLICATION.—

21                   “(1) IN GENERAL.—In complying with a re-  
22                   quirement of this section to publish a document, the  
23                   Commission shall publish such document on its  
24                   website, in addition to publishing such document in

1 any other form that the Commission is required to  
2 use or is permitted to and chooses to use.

3 “(2) EXCEPTION.—The Commission shall by  
4 rule establish procedures for redacting documents  
5 required to be published by this section so that the  
6 published versions of such documents do not con-  
7 tain—

8 “(A) information the publication of which  
9 would be detrimental to national security,  
10 homeland security, law enforcement, or public  
11 safety; or

12 “(B) information that is proprietary or  
13 confidential.

14 “(o) TRANSPARENCY RELATING TO PERFORMANCE  
15 IN MEETING FOIA REQUIREMENTS.—The Commission  
16 shall take additional steps to inform the public about its  
17 performance and efficiency in meeting the disclosure and  
18 other requirements of section 552 of title 5, United States  
19 Code (commonly referred to as the Freedom of Informa-  
20 tion Act), including by doing the following:

21 “(1) Publishing on the Commission’s website  
22 the Commission’s logs for tracking, responding to,  
23 and managing requests submitted under such sec-  
24 tion, including the Commission’s fee estimates, fee  
25 categories, and fee request determinations.

1           “(2) Releasing to the public all decisions made  
2           by the Commission (including decisions made by the  
3           Commission’s Bureaus and Offices) granting or de-  
4           nying requests filed under such section, including  
5           any such decisions pertaining to the estimate and  
6           application of fees assessed under such section.

7           “(3) Publishing on the Commission’s website  
8           electronic copies of documents released under such  
9           section.

10          “(4) Presenting information about the Commis-  
11          sion’s handling of requests under such section in the  
12          Commission’s annual budget estimates submitted to  
13          Congress and the Commission’s annual performance  
14          and financial reports. Such information shall include  
15          the number of requests under such section the Com-  
16          mission received in the most recent fiscal year, the  
17          number of such requests granted and denied, a com-  
18          parison of the Commission’s processing of such re-  
19          quests over at least the previous 3 fiscal years, and  
20          a comparison of the Commission’s results with the  
21          most recent average for the United States Govern-  
22          ment as published on [www.foia.gov](http://www.foia.gov).

23          “(p) DEFINITIONS.—In this section:

1           “(1) AMENDMENT.—The term ‘amendment’ in-  
2           cludes, when used with respect to an existing rule,  
3           the deletion of such rule.

4           “(2) BIPARTISAN MAJORITY.—The term ‘bipar-  
5           tisan majority’ means, when used with respect to a  
6           group of Commissioners, that such group—

7                   “(A) is a group of 3 or more Commis-  
8                   sioners; and

9                   “(B) includes, for each political party of  
10                  which any Commissioner is a member, at least  
11                  1 Commissioner who is a member of such polit-  
12                  ical party, and, if any Commissioner has no po-  
13                  litical party affiliation, at least 1 unaffiliated  
14                  Commissioner.

15           “(3) ECONOMICALLY SIGNIFICANT IMPACT.—  
16           The term ‘economically significant impact’ means an  
17           effect on the economy of \$100,000,000 or more an-  
18           nually or a material adverse effect on the economy,  
19           a sector of the economy, productivity, competition,  
20           jobs, the environment, public health or safety, or  
21           State, local, or tribal governments or communities.

22           “(4) PERFORMANCE MEASURE.—The term ‘per-  
23           formance measure’ means an objective and quantifi-  
24           able outcome measure or output measure (as such

1 terms are defined in section 1115 of title 31, United  
2 States Code).

3 “(5) PROGRAM ACTIVITY.—The term ‘program  
4 activity’ has the meaning given such term in section  
5 1115 of title 31, United States Code, except that  
6 such term also includes any annual collection or dis-  
7 tribution or related series of collections or distribu-  
8 tions by the Commission of an amount that is great-  
9 er than or equal to \$100,000,000.

10 “(6) OTHER DEFINITIONS.—The terms ‘agency  
11 action’, ‘ex parte communication’, and ‘rule’ have  
12 the meanings given such terms in section 551 of title  
13 5, United States Code.”.

14 (b) EFFECTIVE DATE AND IMPLEMENTING RULES.—

15 (1) EFFECTIVE DATE.—

16 (A) IN GENERAL.—The requirements of  
17 section 13 of the Communications Act of 1934,  
18 as added by subsection (a), shall apply begin-  
19 ning on the date that is 6 months after the date  
20 of the enactment of this Act.

21 (B) PRIOR NOTICES OF PROPOSED RULE-  
22 MAKING.—If the Federal Communications Com-  
23 mission identifies under paragraph (2)(B)(ii) of  
24 subsection (a) of such section 13 a notice of

1 proposed rulemaking issued prior to the date of  
2 the enactment of this Act—

3 (i) such notice shall be deemed to  
4 have complied with paragraph (1) of such  
5 subsection; and

6 (ii) if such notice did not contain the  
7 specific language of a proposed rule or a  
8 proposed amendment of an existing rule,  
9 paragraph (2)(A) of such subsection shall  
10 be satisfied if the adopted rule or the  
11 amendment of an existing rule is a logical  
12 outgrowth of such notice.

13 (C) SCHEDULES AND REPORTS.—Notwith-  
14 standing subparagraph (A), subsections (h)(1)  
15 and (i) of such section shall apply with respect  
16 to 2014 and any year thereafter.

17 (2) RULES.—The Federal Communications  
18 Commission shall promulgate the rules necessary to  
19 carry out such section not later than 1 year after  
20 the date of the enactment of this Act.

21 (3) PROCEDURES FOR ADOPTING RULES.—Not-  
22 withstanding paragraph (1)(A), in promulgating  
23 rules to carry out such section, the Federal Commu-  
24 nications Commission shall comply with the require-  
25 ments of subsections (a) and (h)(2) of such section.

1 **SEC. 3. CATEGORIZATION OF TCPA INQUIRIES AND COM-**  
2 **PLAINTS IN QUARTERLY REPORT.**

3 In compiling its quarterly report with respect to in-  
4 formal consumer inquiries and complaints, the Federal  
5 Communications Commission may not categorize an in-  
6 quiry or complaint with respect to section 227 of the Com-  
7 munications Act of 1934 (47 U.S.C. 227) as being a  
8 wireline inquiry or complaint or a wireless inquiry or com-  
9 plaint unless the party whose conduct is the subject of  
10 the inquiry or complaint is a wireline carrier or a wireless  
11 carrier, respectively.

12 **SEC. 4. PROVISION OF EMERGENCY WEATHER INFORMA-**  
13 **TION.**

14 Nothing in subsection (a) of section 13 of the Com-  
15 munications Act of 1934, as added by section 2 of this  
16 Act, shall be construed to impede the Federal Communica-  
17 tions Commission from acting in times of emergency to  
18 ensure the availability of efficient and effective commu-  
19 nications systems to alert the public to imminent dan-  
20 gerous weather conditions.

21 **SEC. 5. COMMUNICATIONS OF FIRST RESPONDERS.**

22 Nothing in subsection (a) of section 13 of the Com-  
23 munications Act of 1934, as added by section 2 of this  
24 Act, shall be construed to impede the Federal Communica-  
25 tions Commission from acting in times of emergency to

1 ensure the availability of efficient and effective commu-  
2 nications systems for State and local first responders.

3 **SEC. 6. EFFECT ON OTHER LAWS.**

4       Nothing in this Act or the amendment made by this  
5 Act shall relieve the Federal Communications Commission  
6 from any obligations under title 5, United States Code,  
7 except where otherwise expressly provided.