

AMENDMENT TO H.R. 2593
OFFERED BY MR. CARDENAS

Strike section 1 and insert the following:

1 **SECTION 1. FCC PROCEEDING ON NOTIFICATION PROCESS**
2 **REGARDING DELEGATED AUTHORITY.**

3 (a) IN GENERAL.—Not later than 270 days after the
4 date of the enactment of this Act, the Federal Commu-
5 nications Commission shall complete a proceeding to es-
6 tablish a formal process to notify the public and the Com-
7 missioners before an order, decision, report, or action is
8 made or taken pursuant to delegation under section
9 5(c)(1) of the Communications Act of 1934 (47 U.S.C.
10 155(c)(1)).

11 (b) EXCEPTIONS.—The process established under
12 subsection (a)—

13 (1) shall not require public notification of an
14 order, decision, report, or action with respect to
15 which the authority to which the delegation is made
16 for good cause finds that public notification is likely
17 to lead to a result described in a paragraph of sec-
18 tion 552b(c) of title 5, United States Code; and

1 (2) unless the Commission considers it appro-
2 priate, shall not apply with respect to an order, deci-
3 sion, report, or action that—

4 (A) does not receive a delegated authority
5 number pursuant to the procedures of the Com-
6 mission;

7 (B) is made or taken on authority dele-
8 gated to an administrative law judge; or

9 (C) is made or taken to address an imme-
10 diate threat to health or safety that constitutes
11 an emergency requiring an expedited response
12 from the Commission.

Amend the title so as to read: “A bill to direct the
Federal Communications Commission to complete a pro-
ceeding to establish a formal process to notify the public
and the Commissioners before actions are made or taken
pursuant to delegated authority.”.

