

## Federal Communications Commission

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and services, including all facility authorization applications involving domestic terrestrial transmission facilities. Coordinates with and assists the International Bureau regarding frequency assignment, coordination and interference matters.

(f) Develops and recommends responses to legislative, regulatory or judicial inquiries and proposals concerning or affecting wireless telecommunications.

(g) Develops and recommends policies regarding matters affecting the collaboration and coordination of relations among Federal agencies, and between the Federal government and the states, concerning wireless telecommunications issues. Maintains liaison with Federal and state government bodies concerning such issues.

(h) Develops and recommends policies, programs and rules to ensure interference-free operation of wireless telecommunications equipment and networks. Coordinates with and assists other Bureaus and Offices, as appropriate, concerning spectrum management, planning, and interference matters and issues, and in compliance and enforcement activities. Studies technical requirements for equipment for wireless telecommunications services in accordance with standards established by the Chief, Office of Engineering and Technology.

(i) Advises and assists consumers, businesses and other government agencies on wireless telecommunications issues and matters related thereto. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding cable regulations and related matters.

(j) Administers the Commission's commercial radio operator program (part 13 of this chapter) and the Commission's program for registration, construction, marking and lighting of antenna structures (part 17 of this chapter).

(k) Coordinates with and assists the International Bureau with respect to treaty activities and international conferences concerning wireless telecommunications.

(l) Exercises such authority as may be assigned, delegated or referred to it by the Commission.

(m) Certifies frequency coordinators; considers petitions seeking review of coordinator actions; and engages in oversight of coordinator actions and practices.

(n) Administers the Commission's commercial radio operator (part 13 of this chapter) and amateur radio programs (part 97 of this chapter) and the program for construction, marking and lighting of antenna structures (part 17 of this chapter) and the issuing maritime mobile service identities (MMSIs).

(o) Exercises authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of wireless telecommunications operators for any alleged violation or violations of the Communications Act of 1934, as amended, or the Commission's rules and orders. Before issuing a subpoena, the Wireless Telecommunications Bureau shall obtain the approval of the Office of General Counsel.

(p) Certifies, in the name of the Commission, volunteer entities to coordinate maintain and disseminate a common data base of amateur station special event call signs, and issues Public Notices detailing the procedures of amateur service call sign systems.

[60 FR 35505, July 10, 1995, as amended at 61 FR 4361, Feb. 6, 1996; 62 FR 17567, Apr. 10, 1997; 64 FR 60718, Nov. 8, 1999; 65 FR 375, Jan. 5, 2000]

### CONSUMER INFORMATION BUREAU

#### §0.141 Functions of the Bureau.

(a) Serve as the primary Commission entity responsible for communicating information to the general public regarding Commission policies, programs, and activities. Develop, recommend, coordinate and administer the Commission's consumer information program to enhance the public's understanding of and compliance with the Commission's regulatory requirements.

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(1) Provide a single source “one-stop” shop or “FCC General Store” for handling general inquiries and informally resolving individual informal consumer complaints for the Commission.

(2) Provide information to the public on the Commission’s policies, goals, objectives, and regulatory requirements in order to facilitate public participation in the Commission’s decision-making processes.

(3) Plan, develop, and implement, in coordination with Bureaus and Offices, a Commission wide strategic information plan. Collect and analyze information received in the Bureau from incoming informal consumer complaints and inquiries, consumer forums, and other industry sources and act as an early warning system to alert the Commissioners and the other Bureaus and Offices of areas of concern or interest.

(4) In conjunction with appropriate Bureaus and Offices, conduct consumer forums to educate the public about important Commission regulatory programs and to solicit public feedback about the work of the Commission.

(5) In coordination with the Managing Director’s Office, provide objectives and evaluation methods for the public information portions of the Agency’s Government Performance and Results Act (GPRA) submissions and other Agency-wide strategic planning efforts.

(6) Provide expert advice and assistance to Bureaus and Offices regarding compliance with accessibility requirements.

(7) Provide accessible formats for distribution of Commission material for use by individuals with disabilities, and ensure that individuals with disabilities have access to Commission processes in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

(8) Develop and issue, in conjunction with appropriate Bureaus and Offices, consumer alerts and public service announcements to give consumers information about their rights and information to protect themselves from unscrupulous individuals and firms.

(9) Exercise responsibility for rule-making proceedings regarding general consumer education policies and proce-

dures, and any other related issues, as appropriate.

(b) Provide consumers with timely, up-to-date, and accurate information promptly and professionally, in a format that is most convenient to the consumer through the use of an integrated telephone, TTY, e-mail, web site, and correspondence center.

(1) Provide informal resolution of individual informal consumer complaints in accord with the Bureau’s delegated authority (except those complaints filed regarding accessibility to communications services and equipment for persons with disabilities, including complaints filed pursuant to sections 225, 255, and 713 of the Communications Act, which are handled by the Enforcement Bureau.)

(i) Complete an electronic complaint form at the request of consumers and assist consumers with informal resolution of their complaints through service, facilitation, and informal resolution to address consumer-oriented problems.

(ii) Mediate and settle disputes in informal complaints as appropriate.

(iii) Resolve certain classes of informal complaints, as specified by the Commission, through findings of fact and issuance of orders.

(2) Develop and implement approaches and delivery mechanisms to increase productivity and continuously improve service to consumers. Develop partnership with other federal, state, and local governments and industry in order to establish mechanisms to quickly address informal consumer complaints and issues.

(3) Identify and refer new, novel and/or hot consumer issues to the appropriate Commission Bureau or Office.

(4) Prepare and distribute information and documents of interest to consumers regarding their rights under applicable law.

(5) In coordination with other Bureaus and Offices, handle Congressional and other correspondence related to specific informal consumer complaints, or other specific matters within the responsibility of the Bureau, to the extent not otherwise handled by the Office of General Counsel (impermissible *ex parte* presentations) or another Bureau or Office.

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(c) Develop, plan, coordinate and operate the consolidated reference and research services center to ensure accessibility of the files and record systems for the public and Commission staff.

(1) Serve as the official FCC record custodian for designated records to include intake processing, organization and file maintenance, reference services, retirement, and retrieval of these records. Responsible for managing and maintaining the Electronic Comment Filing System.

(2) Certify records for adjudicatory and court proceedings.

(3) Convene periodic user group meetings to assist in defining requirements for automated reference and research services.

(4) Maintain files for Informal Consumer Complaints, Broadcast Ownership, AM/FM/TV, TV Translators, FM Translators, Cable TV, Wireless, Auction and Common Carrier Tariff and other public record systems in a current state by receiving, reviewing, and filing applications, authorizations, correspondence, technical data and other materials in accordance with established procedures and time frames. Maintain for public inspection Time Brokerage and Affiliation Agreements.

(5) Provide the public and the Commission staff prompt access to manual/computerized records and filing systems.

(6) Maintain court citation file and legislative histories concerning telecommunications dockets.

(d) Manage the Bureau's computer hardware, software, and database systems, such as the Bureau's Internet site, consumer information network systems, and the electronic comment filing system. Responsible for all design, systems development, presentation development, accessibility and coordination with the Chairman, Commissioners, and other Bureaus and Offices to ensure complete, timely, and accurate coverage of Bureau activities and Commission publications.

(1) Participate with the Internet Working Group to set standards and develop guidelines that govern the FCC Internet practices and procedures. Keep abreast of new developments and

provide expert advice on how to attain new goals.

(2) In consultation with, and assisted by the Managing Director's Office, identify the role of the Information Technology Center in supporting the hardware, software, and systems needs of the Bureau.

(3) Provide leadership to Bureaus and Offices for dissemination of consumer information via the Internet.

(4) Coordinate with other Bureaus and Offices to develop and maintain Commission-wide databases for dissemination of consumer information and related documents.

(5) Provide technology and automation support to the Bureau to ensure smooth operation of daily business and ongoing work. Purchase, install and monitor use of new technology. Provide training as appropriate.

(6) Determine need for, develop statements of work, recommend, implement and manage automated information systems, electronic filing systems, telephone systems, electronic and document management systems.

(e) Develop, recommend, and implement policies, goals, and objectives to solicit public input in Commission policy-making proceedings to ensure that the Commission has the benefit of a wide spectrum of information and viewpoints in its decision-making processes.

(1) In coordination with the Commission's Bureaus and Offices, maintain liaison with consumer organizations and governmental agencies concerned with FCC regulatory activities to ensure a continuing exchange of views and information.

(2) Conduct consumer forums to educate the public about important Commission regulatory programs and to solicit public feedback from consumers and to encourage more public participation in the work of the Commission.

(3) Develop and maintain special databases for mailing, e-mailing, and sending facsimile material to groups affected by commission actions.

(4) Arrange briefings and seminars for educational institutions, consumer organizations or other groups interested in the operations of the Commission.

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(5) In coordination with Bureaus and Offices, implement an informal work group for information sharing purposes to ensure coordination on all consumer information and outreach projects.

(6) Advise and assist the Chairman, Commissioners, and the Bureaus and Offices regarding public participation on consumer information/education matters.

(7) Exercise responsibility for rule-making proceedings regarding general consumer education policies and procedures and related matters.

(f) Plan, develop and implement, in coordination with Bureaus and Offices, a Commission-wide strategic information plan.

(1) Develop and establish a coordinated information collection and validation process with bureaus and offices to ensure accuracy and validity of information disseminated by the Bureau.

(2) Collect and analyze information received in the Bureau from incoming consumer complaints and inquiries, consumer forums, and other industry sources and act as an early warning system to alert the Commissioners and the other Bureaus and Offices of areas of concern or interest.

(3) Promote within the Commission an increased understanding of the concerns and viewpoints of the public through formal and informal coordinating procedures to ensure prompt service to the public who seek information about FCC proceedings and policies, and who seek assistance in participating in Commission activities.

(4) Oversee the graphics arts program for the Bureau. In coordination with other Bureaus and Offices, produce audio and video consumer alerts and public service announcements for dissemination to the public.

(5) In consultation with the Managing Director's Office, provide objectives and evaluation methods for the public information portion of the Agency's Government Performance and Results Act (GPRA) submissions and other Agency-wide strategic planning efforts.

(6) Ensure that alternative formats of Commission materials are available to Commission employees, Bureaus, Offices and members of the public. Develop a library of commonly requested materials on disability issues, and

issues of interest to all consumers. Provide other Commission materials in alternative formats, upon request. Materials will be available in Braille, audio cassette, large print, computer diskette and CD-ROM.

(g) Appoint a Rehabilitation Act Officer with full authority to oversee FCC compliance with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), and to provide direction and assistance on all associated activities and initiatives to other Bureaus and Offices.

NOTE TO PARAGRAPH (g): Responsibility for implementing section 501 requirements of the Rehabilitation Act are assigned to the Office of Workplace Diversity. Responsibility for implementing section 504 requirements of the Rehabilitation Act are assigned to the Disability Rights Office. Responsibility for implementing section 508 requirements are assigned to the Office of the Managing Director.

(1) Coordinate with appropriate Bureau/Office experts to provide technical assistance on all accessibility related rules/proceedings. Coordinate with Disability and Business Technical Assistance Center's (DBTAC's) and represent the Commission on rehabilitation and accessibility related committees, working groups, and at associated conferences. Coordinate TTY directory publishing as required by the Telecommunications Accessibility Enhancement Act.

(2) Coordinate with Bureaus and Offices to develop recommendations and propose policies to ensure that telecommunications and mass media are accessible to persons with disabilities. Review relevant agenda items and other documents prepared by Bureaus or Offices to ensure that the documents are in conformance with existing disability laws and policies and that they support the Commission's goal of increasing accessibility of communications services and technologies for persons with disabilities. Provide expert advice on issues relevant to persons with disabilities. Initiate rulemaking proceedings as appropriate.

(3) Provide advice and assistance, as required, to other Bureaus as appropriate, on the requirements of the Americans with Disabilities Act (ADA),

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the Rehabilitation Act, and the Communications Act, including sections 255 and 713 and enforcement activities related to accessibility.

(4) Develop specialized disability outreach efforts to include postings on the Commission's web sites and maintaining an electronic disability outreach list and resource library of disability literature, including articles, publications and newsletters.

(5) Monitor legal developments affecting persons with disabilities by reviewing court and Commission decisions, professional publications, and trade press, and by researching legislation, decisions, opinions and regulation.

(6) Manage the Disabilities Issues Task Force and associated working groups.

(7) Coordinate training opportunities for Commission employees on accessibility issues.

(h) Perform such other functions as may be assigned or referred to the Bureau by the Commission.

[64 FR 60718, Nov. 8, 1999, as amended at 65 FR 47690, Aug. 3, 2000]

### OFFICE OF ADMINISTRATIVE LAW JUDGES

#### §0.151 Functions of the Office.

The Office of Administrative Law Judges consists of a Chief Administrative Law Judge, an Assistant Chief Administrative Law Judge, and as many other Administrative Law Judges qualified and appointed pursuant to the requirements of section 11 of the Administrative Procedure Act as the Commission may find necessary. It is responsible for hearing and conducting all adjudicatory cases designated for any evidentiary adjudicatory hearing other than those designated to be heard by the Commission en banc, those designated to be heard by one or more members of the Commission, and those involving the authorization of service in the Instructional Television Fixed Service. The Office of Administrative Law Judges is also responsible for conducting such other hearings as the Commission may assign.

[61 FR 10689, Mar. 15, 1996]

### DEFENSE AND EMERGENCY PREPAREDNESS FUNCTIONS

#### §0.181 The Defense Commissioner.

The Defense Commissioner is designated by the Commission. The Defense Commissioner directs the defense activities of the Commission and has the following duties and responsibilities:

(a) To keep the Commission informed as to significant developments in the field of emergency preparedness, defense mobilization, and any defense activities that involve formulation or revision of Commission policy in any area of responsibility of the Commission.

(b) To represent the Commission in national defense matters requiring conferences or communications with other governmental officers, departments, or agencies.

(c) To act as the Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under emergency conditions.

(d) To serve as a member of the Joint Telecommunications Resources Board (JTRB).

(e) To serve as the principal point of contact for the Commission on all matters pertaining to the National Communications System.

(f) To take such measures as will assure continuity of the Commission's functions under any foreseeable circumstances with a minimum of interruption.

(g) In the event of enemy attack, or the imminent threat thereof, or other disaster resulting in the inability of the Commission to function at its offices in Washington, D.C., to assume all of the duties and responsibilities of the Commission and the Chairman, until relieved or augmented by other Commissioners or members of the staff, as set forth in §§0.186 and 0.383.

(h) To approve national emergency plans and develop preparedness programs covering: provision of service by common carriers; broadcasting and cable facilities, satellite and the wireless radio services; radio frequency assignment; electromagnetic radiation; investigation and enforcement.