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CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED FOURTEENTH 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

April 23, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

On March 4, 2015, the Subcommittee on Communications and Technology convened a hearing entitled "Reauthorization of the Federal Communications Commission: The FCC's FY 2016 Budget Request" and received testimony from the Federal Communications Commission's (FCC) Managing Director, Mr. Jon Wilkins, concerning the commission's fiscal year 2016 budget request. In his written testimony Mr. Wilkins noted that the FCC was "currently examining additional workforce restructuring at all FCC facilities." In response to questions from Congressman Pompeo, Mr. Wilkins confirmed that the FCC had brought in outside consultants and that the consultants' "interim analysis…have shown some cost-based ideas that could be consistent with" closing field offices. Mr. Wilkins committed to provide the committee with drafts, memos, slides, and interim reports produced by the consultants. However, on March 10, 2015, the FCC's Office of Legislative Affairs notified Congressman Pompeo's office that the commission would be unable to provide the final report.

On March 19, 2015, the Subcommittee on Communications and Technology convened a hearing entitled "FCC Reauthorization: Oversight of the Commission" and received testimony from you and your fellow commissioners. Among other things, you discussed your plan to close 16 of 24 field offices and release FCC employees from federal service. In response to questions from subcommittee chairman Greg Walden, you confirmed that you had seen a draft report proposing office closures and would provide the committee with the report. On April 2, 2015, you submitted the "final consultant's report regarding the closure and consolidation of Federal Communications Commission's field offices." Surely, a significant amount of statistical data and analysis was produced to determine whether the closing of a majority of the FCC's field offices would, among other things, have a detrimental effect on the commission's ability to rapidly resolve interference to public safety and other critical communications networks. However, your submission to this committee consists of a two-page memo dated March 10, 2015, from the

Chief of the FCC's Enforcement Bureau and Mr. Wilkins to the Enforcement Bureau field staff and a 35-page PowerPoint presentation identified as "FCC Enforcement Bureau Field Modernization Consultants' Report March 31, 2015." These cannot be the sole basis upon which you concluded to close the field offices.

As evident from the inquires directed to both you and Mr. Wilkins during your appearances before the committee, your proposal to shutter 16 of the commission's 24 field offices raises significant challenges and concerns. The commission has represented to Congress and the American people that it will "preserve the integrity of public safety communications infrastructure by taking action on 99% of complaints of interference to public safety communications within one day," yet your proposal to reduce the geographic footprint of the commission appears to ignore the impact this might have on the commission's public interest goal. Moreover, notwithstanding your commitment at the March 19, 2015, oversight hearing to meet this metric and report quarterly to the committee on the Enforcement Bureau's success in doing so, little information has been made available. Indeed, our concerns have only been heightened by the commission's failure to provide all the information requested by the committee.

Accordingly, pursuant to Rules X and XI of the U.S. House of Representatives, we respectfully seek your responses to the following requests:

1. Please provide all documents, including all drafts, memos, emails, analyses, PowerPoint slides, interim reports, and the final report produced by the outside consultants related to your proposal to close FCC field offices.

2. Please provide all documents, including all internal communications and internal analyses, related to the Enforcement Bureau and Office of Managing Director joint recommendation to the commission to close the FCC field offices.

We appreciate your assistance with these requests and ask for your response no later than May 7, 2015. Instructions for responding to the committee's document requests are included as an attachment to this letter. If you should have any questions, please contact David Redl or Charles Ingebretson of the committee staff at (202) 225-2927.

Thank you again for your cooperation.

Sincerely,

Fred Upton
Chairman

Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

Greg Walden
Chairman
Subcommittee on Communications and Technology

Mike Pompeo
Member

Attachment