CS AT REGULATORY AGENCIES

Henning Schulzrinne
Civics was a bit too simple...
The US hierarchy of laws

Constitution
  • Commerce clause

Law
  • Telecom Act 1934 & 1996

47 CFR

Narrative
  • reasonable network management

Article I, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes (1787)

SEC. 706. ADVANCED TELECOMMUNICATIONS INCENTIVES. (a) IN GENERAL- The Commission ... shall encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms) by utilizing, in a manner consistent with the public interest, convenience, and necessity, ..., or other regulating methods that remove barriers to infrastructure investment.
FTC & FCC (and others)

- FCC: digital inclusion, spectrum, emergency services, cyber security, robocalls
- FTC: consumers, privacy
  - enforcement, not regulations
- FAA (DOT)
- NIST
- Some fund research, most don’t
Code of Federal Regulations

- Title 3: The President
- Title 7: Agriculture
- Title 33: Navigation and Navigable Waters
- Title 39: Postal Service
- Title 47: Telecommunications
- Title 49: Transportation
- Title 50: Wildlife and Fisheries

http://www.ecfr.gov/
FCC

- Independent federal agency
- About 1,688 employees (60 economists, 300 engineers, 600 lawyers + support staff)

Chairman (R) – Ajit Pai

President nominates Senate confirms

4 Commissioners (2 D, 2 R)

- Consumer and Governmental Affairs
- Enforcement
- International
- Media
- Public Safety & Homeland Security
- Wireless Telecommunications
- Wireline Competition
Staffing at National Regulatory Agencies

Figure 5. Distribution of professions among professional staff (no "other").
Notice and Comment rulemaking

- Unless an exception applies, Commission must use notice and comment procedures to adopt rule
- Commission adopts Notice of Proposed Rulemaking (NPRM) either at monthly Open Meeting or on circulation
  - Bureaus and offices generally lack delegated rulemaking authority
- NPRM must include statement of legal authority
  - terms or substance of the proposed rule, or a description of the subjects and issues involved
- NPRM must be sufficient to expose the proposal to public comment, and give affected parties an opportunity to develop evidence for their position
- May issue more general Notice of Inquiry (NOI) if not ready to go to NPRM
Engagement

- Comment on regulatory proceedings
- Present your research (if relevant)
- Workshops
- Advisory committees
- Sabbatical
- IPA assignment
Advantages

• Better appreciation of law & economics
• Teaching impact (me: “Internet Technology, Economics & Policy”)
• Research impact (“broader impact”)
• Research topics (emergency services, data analysis)