

FHH Telecom Law
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You Want to Enhance Public Safety?
Create a New Bureau

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Following the lead of the larger federal government, the FCC has reorganized itself by consolidating all public safety-related functions into a single Bureau to be called, of course, the Public Safety and Homeland Security Bureau. The new bureau will be the home of disaster-related and security-related planning and functions within the Commission such as the Emergency Alert System, 911, CALEA, and network reliability planning. The theory, as with the Department of Homeland Security, is that these functions can be better coordinated within a single bureau charged with this specific mission. The FCC provided few details about the day-to-day operations of the new bureau, except that it will be the smallest of the bureaus (fewer than 150 people) and will handle licensing of public safety radio licenses which have heretofore been within the bailiwick of the Wireless Bureau. There is no indication at this time that any other licensing functions will go to the new bureau. Because the bureau is being formed out of parts scavenged from existing parts of the Commission, there will be no new manpower thrown at the security problem. The faces in the new bureau will therefore look very familiar.

The reorganization had been under discussion for many months. It remains subject to approval by Capitol Hill and compliance with employee union obligations, which are expected to be obtained in a couple of months.

While it is easy to scoff at the efficacy of bureaucratic reorganization as a tool to enhance security (witness the performance of FEMA and the reorganized Dept. of Homeland Security in responding to Katrina), the FCC has, to its credit, been extraordinarily responsive to public disasters like hurricanes. It has also moved (though with somewhat less alacrity) to improve the communications infrastructure for public safety and first responders. If shuffling the cubicles around at 445 12th St. helps to improve coordination at all, the effort will not have been wasted.