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Click [HERE](https://www.youtube.com/watch?v=f736J2N1Cng) or above to watch Heller speak on his legislation  **Remarks as prepared:**  I want to start by thanking Chairman Thune for including my FCC Process Reform Act on today’s markup, and to Senator Daines for his cosponsorship.    All of us on the dais know that the communications and technology sectors are the most rapidly advancing sectors of our economy.    In Nevada, it is driving jobs and investment, and generates billions of dollars in U.S. economic activity every year.    Nevadans are employed by this sector and Nevadans enjoy the mobility of voice, video and data, which is why my bill to reform the way the FCC operates is so important.  Whether it’s turning on the tv, dialing on your cell phone, or browsing the Internet, every Nevadan and consumer in America is increasingly impacted by what goes on at the FCC.  So the stakes here are high. We have an independent agency that has massive influence over a sector of our economy and our entertainment.  And we have seen multiple examples of the FCC engaging in rulemaking practices that raise suspicions that they are being less than transparent.  For example, it took two weeks after a vote on net neutrality to actually see what was passed.  To Nevadans, the question is – why is it a secret? Why can’t you show America what you are voting on?  I think we all know the reaction you get from the public when they are told you have to pass the bill to find out what is in it.  But that isn’t all. Senator Johnson released an excellent report that directly highlights my concerns with how the FCC operates.  His report analyzed the Rulemaking for the Open Internet Order, known by the public as Net Neutrality rules.    And it looks like from Senator Johnson’s report that the Chairman pulled a bait and switch of the Open Internet Order with improper influence from the White House.    Let me read you a quick timeline:    On November 1st of 2015 - FCC staff stated they would circulate an Open Internet draft that would take a hybrid approach to net neutrality.    November 6th - White House staffer Jeffrey Zeints briefs Chairman Wheeler on the President’s plan to push for a different approach, complete Title II reclassification.    November 7th – Chairman Wheeler’s senior staff internally hits “Pause” on drafting the hybrid approach.    November 10th – the President publicly states his support for Title II regulation of the Internet.    December 5th – Chairman Wheeler publicly embraces Title II.    The report concluded that the FCC changed course on the Open Internet Order under the influence of the White House, and also failed to solicit input on its new direction.    This is not transparency or the workings of an independent agency.  That is why this is important. We cannot have an independent agency that looks like it is playing politics rather than actually advocating for the public interest.  The consumers and the marketplace deserve a better understanding of the procedures the FCC goes through to reach a decision.  That is the reason the Senate should provide more instruction.  This bill should be supported by everyone here because it is about transparency.    Frankly, Nevadans don’t trust the government and they don’t trust the FCC.  It doesn’t matter where I’m traveling, whether it is rural places like Elko or cities like Las Vegas and Reno, there is a feeling that this Independent Agency operates in secrecy.    That’s why it’s time to shine a light on what goes on over at the FCC.    These reforms would provide instruction to all FCC Chairmen, Democrat or Republican.  My bill would ensure that orders would never be passed until the public has seen the text at least 21 days before the FCC votes.  It is shocking that I have to even write that in a bill, but I do.    The legislation also mandates a cost-benefit analysis on rules with a significant economic impact.  This is codifying an executive order issued by President Obama; but because the FCC is an independent agency, they didn’t have to adopt cost-benefit analysis.  And they didn’t, because it would not have helped with their justification for rulemaking.    Even Democrats from time to time are in favor of a cost-benefit analysis.  For example, just a few days ago, four dozen Democratic House members sent a letter asking the FCC to hold off on its Order on set-top boxes until a cost-benefit analysis is performed.  I think it’s time for Members of this Committee to be honest about what they see going on at the FCC and recognize there is room for improvement.  This isn’t about who is Chairman or what policies they are passing.  It is about ensuring transparency over the process for the sake of the American public.  That is why I encourage every one of my colleagues here to support this legislation and work with me moving forward to improve the way the Commission operates.    Thank you, Mr. Chairman. |   ###  [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_fb.png](http://www.facebook.com/pages/US-Senator-Dean-Heller/325751330177) [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_tw.png](http://twitter.com/SenDeanHeller) [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_yt.png](http://www.youtube.com/user/SenDeanHeller) |