



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

April 27, 2022

The Honorable Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs
United States Senate
442 Hart Senate Office Building
Washington, DC 20510

Dear Ranking Member Johnson:

Thank you for your letter concerning telework and employee performance at the Federal Communications Commission. I welcome this opportunity to discuss the Commission's outstanding performance in meeting the challenges of the COVID-19 pandemic, and to highlight how we are providing our staff with a safe, flexible, and secure work environment in light of improved COVID-19 circumstances.

The Commission currently maintains approximately 1,424 full-time employees and 535 contractors (down from a high of 2,112 and 850 respectively). Throughout the pandemic, the Commission has initiated implementation of a range of new laws, including the Broadband DATA Act and the Secure and Trusted Communications Networks Act. In addition, the Commission has worked to implement programs totaling over \$20 billion in support for services pursuant to the Coronavirus Aid, Relief, and Economic Security Act, the Fiscal Year 2021 Consolidated Appropriations Act, the American Rescue Plan Act, and the Infrastructure Investment and Jobs Act.

During the first year of the pandemic, the agency moved its primary headquarters to 45 L St. N.E, following the expiration of its lease at its prior headquarters facility. This new location has a significantly reduced footprint, minimizing facility costs. The Commission also has other offices nationwide, which, among other things, facilitate disaster response and local spectrum enforcement. These include facilities in or near Anchorage (AK), Atlanta/Powder Springs (GA), Boston (MA), Chicago (IL), Columbia (MD), Dallas (TX), Denver (CO) Gettysburg (PA), Honolulu (HI), Los Angeles (CA), Miami (FL), New Orleans (LA), New York (NY), Portland (OR), Puerto Rico and San Francisco (CA). Most of these facilities operate with a small staff of one to three employees, but our Columbia, Maryland facility houses 36 full-time employees in order to support agency-wide equipment authorization and enforcement activities. The location also includes a small Public Safety and Homeland Security facility. Our Gettysburg facility likewise has redundant facilities with 58 employees and supports our Continuity of Operations requirements.

At the onset of the pandemic in 2020, a large number of Commission employees already had a written telework agreement in place under the *Telework Enhancement Act* and negotiated agreements with our employees' union. On March 9, 2020, the Commission permitted staff with concerns about COVID-19 to telework to the maximum extent possible, as long as they had an *ad hoc* telework agreement, and by March 12, 2020, the Commission strongly encouraged all telework participants to telework to the maximum extent possible. On March 23, 2020, the Commission began mandatory telework, which ended on December 1, 2021, when the FCC moved to a maximum telework posture, which positioned the agency to cope with the Omicron outbreak. Both mandatory and maximum telework status were supported by the efforts of the Office of Managing Director and work to ensure that employees had the skills needed to utilize off-site resources. In both the mandatory and maximum telework postures, all Commission facilities remained open with mission critical staff approved to work onsite as necessary to perform tasks that could not be done remotely.

As far as current operations, we are following the Administration's June 10, 2021 guidance memorandum entitled "Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment." Although more than 97 percent of our employees are already vaccinated, we are also complying with the most recent guidance from the Safer Federal Workforce Task Force regarding applicable safety protocols for staff, visitors, and facilities, including its incorporation of the Centers for Disease Control and Prevention's February 25, 2022 guidance for using COVID-19 Community Levels in determining appropriate COVID-19 prevention steps. In addition, we are following the November 2021 Office of Personnel Management guidance to agencies and the Federal workforce addressing the future of work.

I am pleased to report that the Commission held its first in-person monthly Open Meeting at our new headquarters in March and its second monthly meeting at the new facility in April, and our staff has initiated the process of more broadly heading back to our facilities. On April 5, 2022, the Commission's Human Resources office informed all personnel that as of May 15, 2022, the FCC will be transitioning from maximum telework to flexible telework as part of the re-entry plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a horizontal line extending to the right.

Jessica Rosenworcel