

§0.357

parties to a proceeding concur in holding all hearing sessions in the District of Columbia rather than at any field location, the presiding administrative law judge may act on the request.

(e) In the absence of the administrative law judge who has been designated to preside in a proceeding, to discharge the administrative law judge's functions.

(f) All pleadings filed, or matters which arise, after a proceeding has been designated for hearing, but before a law judge has been designated, which would otherwise be acted upon by the law judge, including all pleadings filed, or matters which arise, in cease and desist and/or revocation proceedings prior to the designation of a presiding officer.

(g) All pleadings (such as motions for extension of time) which are related to matters to be acted upon by the Chief Administrative Law Judge.

(h) If the administrative law judge designated to preside at a hearing becomes unavailable, to order a rehearing or to order that the hearing continue before another administrative law judge and, in either case, to designate the judge who is to preside.

(i) The consolidation of related proceedings pursuant to §1.227(a) of this chapter, after designation of those proceedings for hearing.

[29 FR 6443, May 16, 1964, as amended at 37 FR 19372, Sept. 20, 1972; 38 FR 30559, Nov. 6, 1973; 43 FR 49307, Oct. 23, 1978; 44 FR 76295, Dec. 26, 1979]

§0.357 Record of actions taken.

The official record of all actions taken by the Chief Administrative Law Judge in docketed proceedings pursuant to §0.351 is contained in the original docket folder, which is maintained by the Reference Information Center of the Consumer and Governmental Affairs Bureau.

[64 FR 60722, Nov. 8, 1999, as amended at 67 FR 13221, Mar. 21, 2002]

CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU

§0.361 Authority delegated.

The Chief, Consumer and Governmental Affairs Bureau, is delegated authority to perform all functions of the

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Bureau, described in §0.141, provided that the following matters shall be referred to the Commission en banc for disposition:

(a) Notices of proposed rulemaking and of inquiry and final orders in such proceedings.

(b) Application for review of actions taken pursuant to delegated authority.

(c) Matters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines.

[64 FR 60722, Nov. 8, 1999, as amended at 67 FR 13221, Mar. 21, 2002]

NATIONAL SECURITY AND EMERGENCY PREPAREDNESS DELEGATIONS

§0.381 Defense Commissioner.

The authority delegated to the Commission under Executive Order 11490 is redelegated to the Defense Commissioner.

[41 FR 31210, July 27, 1976]

§0.383 Emergency Relocation Board, authority delegated.

(a) During any period in which the Commission is unable to function because of the circumstances set forth in §0.186(b), all work, business or functions of the Federal Communications Commission arising under the Communications Act of 1934, as amended, is assigned and referred to the Emergency Relocation Board.

(b) The Board, acting by a majority thereof, shall have the power and authority to hear and determine, order, certify, report or otherwise act as to any of the said work, business or functions so assigned or referred to it, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations.

(c) Any order, decision or report made or other action taken by the said Board in respect of any matters so assigned or referred shall have the same effect and force, and may be made, evidenced, and enforced in the same manner, as if made or taken by the Commission.

[28 FR 12402, Nov. 22, 1963, as amended at 33 FR 8228, June 1, 1968; 53 FR 29055, Aug. 2, 1988]

Federal Communications Commission

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§0.387 Other national security and emergency preparedness delegations; cross reference.

(a) For authority of the Chief of the Media Bureau to issue Emergency Alert System Authorizations (FCC Form 392), see §§ 0.284 (a)(4) and 73.913.

(b) For authority of the Chief of the Enforcement Bureau to declare a general communications emergency, see §0.182(j).

[28 FR 12411, Nov. 22, 1963, as amended at 40 FR 17254, Apr. 18, 1975; 53 FR 29055, Aug. 2, 1988; 54 FR 15195, Apr. 17, 1989; 61 FR 8477, Mar. 5, 1996; 64 FR 60722, Nov. 8, 1999; 67 FR 13221, Mar. 21, 2002]

OFFICE OF WORKPLACE DIVERSITY

§0.391 Authority delegated.

The Director, Office of Workplace Diversity, or his/her designee, is hereby delegated authority to:

(a) Manage the Commission's internal EEO compliance program pursuant to Title VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, the Age Discrimination in Employment Act of 1967, as amended, the Equal Pay Act, and other applicable laws, rules, regulations, and Executive Orders, with authority that includes appointing EEO counselors, investigators, and mediators; investigating complaints of employment discrimination, and recommending to the Chairman final agency decisions on EEO complaints;

(b) Mediate EEO complaints;

(c) Develop the Commission's affirmative action goals and objectives;

(d) Collect and analyze data on the Commission's affirmative action and EEO activities and accomplishments;

(e) Prepare and release reports on EEO, affirmative action, workplace diversity, and related subjects;

(f) Review personnel activities, including hiring, promotions, discipline, training, awards, and performance recognition for conformance with EEO and workplace diversity goals, objectives and requirements;

(g) Conduct studies and collect data on workplace diversity issues and problems;

(h) Assume representational role on behalf of the Commission at con-

ferences, meetings, and negotiations on EEO and workplace diversity issues;

(i) Develop programs and strategies designed to foster and encourage fairness, equality, and inclusion of all employees in the workforce.

[61 FR 2728, Jan. 29, 1996]

Subpart C—General Information

GENERAL

§0.401 Location of Commission offices.

The Commission maintains several offices and receipt locations. Applications and other filings not submitted in accordance with the addresses or locations set forth below will be returned to the applicant without processing. When an application or other filing does not involve the payment of a fee, the appropriate filing address or location is established elsewhere in the rules for the various types of submissions made to the Commission. The public should identify the correct filing location by reference to these rules. Applications or submissions requiring fees must be submitted in accordance with §0.401(b) of the rules irrespective of the addresses that may be set out elsewhere in the rules for other submissions.

(a) General correspondence, as well as applications and filings not requiring the fees set forth at part 1, subpart G of the rules (or not claiming an exemption, waiver or deferral from the fee requirement), should be delivered to one of the following locations.

(1) The main office of the Commission is located at 445 12th Street, SW., Washington, DC 20554.

(i) Documents submitted by mail to this office should be addressed to: Federal Communications Commission, Washington, DC 20554.

(ii) Hand-carried documents should be delivered to the Secretary's Office, Room TW-A325, 445 12th Street, SW., Washington, DC 20554.

(iii) Electronic filings, where permitted, must be transmitted as specified by the Commission or relevant Bureau or Office.

(2) The Commission's laboratory is located near Columbia, Maryland. The mailing address is: