STATEMENT OF FCC CHAIRMAN AJIT PAI
ANNOUNCING ANOTHER PROCESS REFORM MEASURE

WASHINGTON, February 8, 2017 – Today, I am instituting an important process reform measure to enable Commissioners to become more fully involved in the agency’s enforcement activities.

One of the ways in which the FCC’s Enforcement Bureau resolves an investigation is by entering into a consent decree, in which the party being investigated agrees to comply with certain terms in exchange for the government closing its inquiry. But over the past few years, in cases in which the full Commission has previously voted to propose and/or impose a forfeiture, such consent decrees have generally not been presented to the Commissioners for a vote. Instead, they have simply been signed by the Chief of the Enforcement Bureau at the direction of the Chairman’s Office. Indeed, many times, Commissioners were barely given any notice of such consent decrees before they were publicly released by the Bureau.

That process ends now. If Commissioners vote to propose and/or impose a forfeiture, the Enforcement Bureau should not settle that matter without their approval. Therefore, I have instructed the Enforcement Bureau that starting today, any consent decree settling a Notice of Apparent Liability or Forfeiture Order issued by the full Commission must now be approved by a vote of the full Commission. This will help promote Commissioners’ involvement in and accountability for important enforcement decisions.

We are putting this reform into practice immediately. This afternoon, the Enforcement Bureau circulated a consent decree for the Commission’s consideration that would conclude an important investigation previously approved by the full Commission. I look forward to working closely with my colleagues on that matter and other consumer protection efforts in the months to come.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).