

Media Contact:

Matthew Berry, (202) 418-2005
matthew.berry@fcc.gov

For Immediate Release

STATEMENT OF FCC COMMISSIONER AJIT PAI
On the FCC's Midnight Regulation of Free Data

WASHINGTON, January 11, 2017.—It is disappointing that the FCC's current leadership has yet again chosen to spend its last days in office the same way it spent the last few years—cutting corners on process, keeping fellow Commissioners in the dark, and pursuing partisan, political agendas that only harm investment and innovation.

This time the midnight regulations come in the form of a Bureau-level report casting doubt on the legality of free data offerings—offerings that are popular among consumers precisely because they allow more access to online music, videos, and other content free of charge. This report, which I only saw after the FCC released the document, does not reflect the views of the majority of Commissioners. Fortunately, I am confident that this latest regulatory spasm will not have any impact on the Commission's policymaking or enforcement activities following next week's inauguration.

It was my hope—as I have consistently expressed to my colleagues—that we could spend the remaining days of this Administration working together with bipartisan comity to ensure a smooth transition. It is sad that the outgoing leadership of the agency has chosen a different path.

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Office of Commissioner Ajit Pai: (202) 418-2000
Twitter: @AjitPaiFCC
www.fcc.gov/leadership/ajit-pai

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