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**CHAIRMAN PAI STATEMENT ON NINTH CIRCUIT DECISION
REGARDING FTC AUTHORITY TO REGULATE INTERNET
SERVICE PROVIDERS**

WASHINGTON, February 26, 2018—Federal Communications Commission Chairman Ajit Pai today issued the following statement on today’s decision of the United States Court of Appeals for the Ninth Circuit (*Federal Trade Commission v. AT&T Mobility*) reaffirming the FTC’s authority over the non-common carrier activities of common carriers.

“The Ninth Circuit’s decision is a significant win for American consumers. Among other things, it reaffirms that the Federal Trade Commission will once again be able to police Internet service providers after the *Restoring Internet Freedom Order* takes effect,” said FCC Chairman Pai. “In the months and years ahead, we look forward to working closely with the FTC to ensure the protection of a free and open Internet.”

The FCC’s *Restoring Internet Freedom Order* reversed a 2015 agency decision to reclassify broadband Internet access service as a Title II common carrier service. This 2015 decision stripped the FTC of its traditional authority to protect consumers and promote competition with respect to Internet service providers because the FTC does not have jurisdiction over common-carrier activities.

The FCC’s *Restoring Internet Freedom Order* restores the FTC’s jurisdiction to police the conduct of ISPs, including their privacy practices. The order also requires Internet service providers to disclose their network management practices, performance, and commercial terms of service. As the nation’s top consumer protection agency, the FTC will be responsible for holding these providers to the promises they make to consumers.

In December 2017, the FCC and FTC announced their intent to enter into a [Memorandum of Understanding](#) under which the two agencies would coordinate online consumer protection efforts.

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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).