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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
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December 15, 2020

The Honorable Ajit Pai
Chairman
Federal Communications Commission
45 L Street NE
Washington, D.C. 20554

Dear Chairman Pai:

Leadership of the Federal Communications Commission (FCC) will soon change, and any action taken by the FCC following the recent election will receive particular scrutiny.

I strongly urge the FCC to avoid directing its attention and resources in the next month to complex, partisan, or otherwise controversial items that the new Congress and new Administration will have an interest in reviewing. There are certainly many administrative matters on which the Commission can instead focus its energies. I strongly urge you to concentrate the Commission's attention and resources only on these matters and any others that are specifically required by law.

In addition, I write to remind you that the FCC is expected to comply with the record preservation obligations set forth in federal law as this transition moves forward. As Chairman, you should remind all FCC employees of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with the Federal Records Act and similar laws and regulations. All such information—along with other information requested by Congress—must be saved and archived in a manner that is easily retrievable and reviewable.

To ensure the FCC's compliance with the laws and regulations governing transition activities, I request that you provide responses to the following questions:

- 1) A copy of any policies or guidance to agency employees detailing how they should comply with the collection, retention, and preservation of all agency documents, communications, and records in compliance with the Federal Records Act and similar laws and regulations.
- 2) Please provide a list of all political appointees that were in place at the FCC (including its Bureaus and Offices) as of October 1, 2019, as well as any

appointments made since October 1, 2019. For these appointees, please provide the following information:

- a. The title of the position, including the Bureau or Office to which the position was assigned.
- b. The GS level of each position, or whether the position is a non-career SES or other salary level.
- c. Any subsequent Bureau or Office assignment of the position.
- d. The date(s) such position was filed.
- e. Current first and second line supervisors for each position.
- f. Information regarding any further detail or assignment of incumbents in these positions since October 1, 2019.

Thank you in advance for your assistance with these requests, and for your assistance in ensuring a smooth transition to the next Administration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maria Cantwell", with a stylized flourish at the end.

MARIA CANTWELL
Ranking Member