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# Office of the General Counsel Report to the Commission

Support for the FCC Strategic Plan





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# Broadband, Competition, Spectrum, Media, Homeland Security

## □ OGC's Role

- Avoid avoidable risk where possible
  - Identify unavoidable risk to permit informed decision-making
  - Defend Commission decisions before the courts
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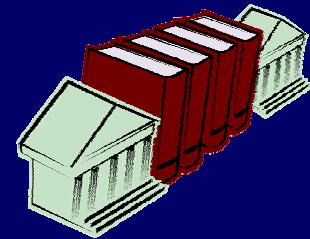
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# Broadband, Competition, Spectrum, Media, Homeland Security

## □ Administrative Law Division

- Reviews each Commission item
- In 2003, Ad Law reviewed 425 Commission items
- Provides legal advice to Commissioners, Bureaus and Offices



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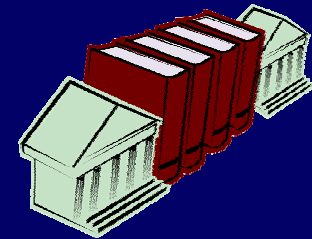
# Broadband, Competition, Spectrum, Media, Homeland Security

## □ Homeland Security

- Principal legal advisor

## □ Transaction Team

- Participates in the review of all significant transactions
- Reviews FCC rules and policies relating to transfers and assignments



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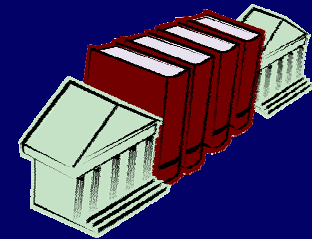


# Broadband, Competition, Spectrum, Media, Homeland Security

## □ Bankruptcy Law Advice

## □ Goals

- Productive spectrum use
- Protection of government's secured creditor status
- Preservation of Commission's ability to protect the public interest



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# Broadband, Competition, Spectrum, Media, Homeland Security

- Litigation Division – Federal appellate courts
  - 35 briefs, 36 oral arguments, 14 mandamus and stay petitions
- Litigation Division – Federal district courts
  - 20 lawsuits



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# Broadband, Competition, Spectrum, Media, Homeland Security

- Analysis of FCC-related court decisions for internal purposes
- Goals:
  - Enhance the legal rationale for agency decisions
  - Guide our advocacy in court
  - Anticipate judicial trends





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## Modernize the FCC

- Less visible work of OGC is critical to the functioning of the FCC
  - “In-house” counsel
  - Administer *ex parte* rules
  - Ethics advice and counseling
  - FOIA appeals and appeals from hearing cases
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# Support for Strategic Plan in 2004

- OGC's role:
  - Legal analysis, advice and training
  - Judicial advocacy
  - In-house counsel functions

