

S. HRG. 118-488

**NOMINATION OF GIGI B. SOHN,
NOMINEE TO BE A COMMISSIONER,
FEDERAL COMMUNICATIONS COMMISSION**

**HEARING
BEFORE THE
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
ONE HUNDRED EIGHTEENTH CONGRESS
FIRST SESSION**

FEBRUARY 14, 2023

Printed for the use of the Committee on Commerce, Science, and Transportation



Available online: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE
57-390 PDF WASHINGTON : 2024

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

MARIA CANTWELL, Washington, *Chair*

AMY KLOBUCHAR, Minnesota	TED CRUZ, Texas, <i>Ranking</i>
BRIAN SCHATZ, Hawaii	JOHN THUNE, South Dakota
EDWARD MARKEY, Massachusetts	ROGER WICKER, Mississippi
GARY PETERS, Michigan	DEB FISCHER, Nebraska
TAMMY BALDWIN, Wisconsin	JERRY MORAN, Kansas
TAMMY DUCKWORTH, Illinois	DAN SULLIVAN, Alaska
JON TESTER, Montana	MARSHA BLACKBURN, Tennessee
KYRSTEN SINEMA, Arizona	TODD YOUNG, Indiana
JACKY ROSEN, Nevada	TED BUDD, North Carolina
BEN RAY LUJAN, New Mexico	ERIC SCHMITT, Missouri
JOHN HICKENLOOPER, Colorado	J. D. VANCE, Ohio
RAPHAEL WARNOCK, Georgia	SHELLEY MOORE CAPITO, West Virginia
PETER WELCH, Vermont	CYNTHIA LUMMIS, Wyoming

LILA HARPER HELMS, *Staff Director*

MELISSA PORTER, *Deputy Staff Director*

JONATHAN HALE, *General Counsel*

BRAD GRANTZ, *Republican Staff Director*

NICOLE CHRISTUS, *Republican Deputy Staff Director*

LIAM MCKENNA, *General Counsel*

C O N T E N T S

	Page
Hearing held on February 14, 2023	1
Statement of Senator Cantwell	1
Statement of Senator Cruz	3
Statement of Senator Luján	4
Article dated May 19, 2022 from <i>Axios</i> entitled, “Deadlocked FCC could derail Biden’s equity digital plans” by Margaret Harding McGill	6
Article dated October 14, 2022 from <i>The Washington Post</i> entitled, “Biden’s Internet promises in limbo amid long battle over FCC nominee” by Cat Zakrzewski and Cristiano Lima	7
Article dated November 3, 2022 from <i>The Verge</i> entitled, “The mystery of Biden’s Deadlocked FCC” by Nilay Patel	9
Article dated December 20, 2022 from <i>Communications Daily</i> entitled, “Proposed Fines Against Carriers for Data Violations Appear Stalled at Split FCC” by Howard Buskirk	19
Article dated February 2, 2023 from <i>Ars Technica</i> entitled, “ISP admits lying to FCC about size of network to block funding to rivals” by Jon Brodkin	21
Letter dated January 30, 2023 to the Senate Commerce Committee from Preston Padden, Boulder Thinking LLC	112
Statement of Senator Thune	23
Statement of Senator Markey	93
Gigi Sohn supporters	94
Statement of Senator Klobuchar	103
Statement of Senator Peters	105
Letter dated February 13, 2023 to Hon. Jessica Rosenworcel, Chairwoman, Federal Communications Commission from Senator Gary Peters and Senator Cynthia Lummis	106
Statement of Senator Fischer	108
Statement of Senator Vance	114
Statement of Senator Rosen	117
Statement of Senator Blackburn	119
Statement of Senator Baldwin	120
Statement of Senator Budd	122
Report dated June 1, 2020 entitled, “Attending a Protest” from Surveillance-Self Defense	123
Statement of Senator Welch	135
Statement of Senator Schmitt	137
Statement of Senator Sinema	139
Statement of Senator Young	141
Statement of Senator Sullivan	142
Letter dated February 9, 2023 to Hon. Chuck Schumer, Hon. Mitch McConnell, Hon. Maria Cantwell and Hon. Ted Cruz from Charles T. Moran, President, Log Cabin Republicans	146
Letter dated February 8, 2023 to Hon. Maria Cantwell and Hon. Ted Cruz from William J. Johnson, Esq., Executive Director, National Association of Police Organizations, Inc.	148
Letter dated February 6, 2023 to Chair Cantwell and Ranking Member Cruz from Sheriff Jim Skinner, Collin County, TX, Chair, Government Affairs Committee and Sheriff Greg Champagne, St. Charles Parish, LA, President, National Sheriff’s Association	149
Letter dated March 16, 2020 to Mr. Chad Rupe, Administrator, Rural Utilities Service, U.S. Department of Agriculture from Michael O'Reilly, Commissioner, Federal Communications Commission	150

IV

Page

Statement of Senator Sullivan —Continued	
Article dated March 2, 2022 from <i>One Country Project</i> entitled, “Sohn is Wrong for FCC and Rural America” by Senator Heidi Heitkamp	159

WITNESSES

Chad Rupe, Former USDA Rural Utilities Service Administrator, Trump Administration	24
Prepared statement	25
Gigi B. Sohn, Nominee to be a Commissioner, Federal Communications Commission	26
Prepared statement	28
Biographical information	29

APPENDIX

Letter dated February 27, 2023 to Hon. Maria Cantwell and Hon. Ted Cruz from Rashad Robinson, President Color Of Change; Sakira Cook, VP of Policy & Government Affairs, Color Of Change; Maya Wiley, President & CEO, The Leadership Conference on Civil and Human Rights; Jesselyn McCurdy, Executive Vice President, Policy & Government AffairsThe Leadership Conference on Civil and Human Rights	163
Response to written questions submitted to Gigi B. Sohn by:	
Hon. Raphael Warnock	167
Hon. Ted Cruz	168
Hon. John Thune	180
Hon. Roger Wicker	180
Hon. Marsha Blackburn	182
Hon. Shelley Moore Capito	183

**NOMINATION OF GIGI B. SOHN,
NOMINEE TO BE A COMMISSIONER,
FEDERAL COMMUNICATIONS COMMISSION**

TUESDAY, FEBRUARY 14, 2023

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 11:04 a.m., in room SR-253, Russell Senate Office Building, Hon. Maria Cantwell, Chair of the Committee, presiding.

Present: Senators Cantwell [presiding], Klobuchar, Markey, Peters, Baldwin, Sinema, Rosen, Luján, Hickenlooper, Welch, Cruz, Thune, Wicker, Fischer, Sullivan, Blackburn, Young, Budd, Schmitt, and Vance.

**OPENING STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

The CHAIR. Good morning. The Commerce Committee will come to order. Today, the Commerce Committee is meeting to consider the nomination of Gigi Sohn to be a Commissioner for the Federal Communications Commission.

This committee has already held two previous hearings on her nomination, and so we know a lot about her background, her views, and important transparency issues, and we thank her for being here again today. If we want someone on the Federal Communications Commission who is truly committed to the job, then I believe Ms. Sohn fits that bill.

She has a very long history at being part of a process at the FCC, and she is qualified. She will help deliver for the American people, and she has a keen eye on something that all members of this committee care passionately about, and that is affordable, accessible broadband.

Thank you for your leadership and your advocacy on that issue. Although she has been before our committee, she has now been criticized for important policies like standing up for free speech. I want to thank you for your policy positions, knowing that some same people like Justice Gorsuch or Rand Paul or many others believe in the Fourth Amendment.

Thank you for articulating those views as well. These personal attacks are a distraction from the fact that Ms. Sohn is immensely qualified for this position and a highly effective would-be FCC Commissioner.

She has more than 30 years of experience working on telecommunications policy, including as senior adviser to Chairman Wheeler at the FCC. She is a prominent voice in the telecommunications area and importantly, as I mentioned, on accessibility and affordability. And if confirmed, she would be the first openly gay Commissioner of the FCC.

Ms. Sohn has a history of putting the public interest first, regardless of whether that means supporting policies endorsed by Republicans or Democrats. She is well known for convening a broad range of stakeholders from both sides of the aisle on almost every part of the debate that we are looking at, regulatory frameworks, broadband deployment, broadcast issues, and mass media in the marketplace.

This is why her nomination is supported by such a diverse group of people, former Mississippi Representative Chip Pickering, who stated that Ms. Sohn will be a great advocate and championing of the principles of competition and the First Amendment.

Preston Padden, Former President of ABC and Founding Executive Director of Fox Broadcast, who stated that she has worked with and against—with various individuals for 30 years and is one of the most prepared and experienced nominees. And Mr. Chris Ruddy, CEO of Newsmax, who has urged the confirmation of Ms. Sohn's nomination and the fact that she is committed to promoting diversity, localism, and competition in the marketplace.

So, it is no surprise that Ms. Sohn's career includes helping to ensure the carriages of all voices are heard. This is something this committee has to continue to work on, and I work—welcome the opportunity to work with my colleague, the Ranking Member, on this important issue. I know he has many views on this as well.

But those many voices do include Fox Broadcasting, Newsmax, and OAN Networks, some of the very same networks that our colleague wrote a letter about when they were de-platforming the large cable providers. So, Ms. Sohn has been a consistent advocate for pro-consumers, common sense policies such as lowering the cost of broadband and working toward universal connectivity.

Given that there is a great deal of work that needs to be done on this issue at the FCC, it is time to have a full Commission. We know that just a sampling of the work includes the oversight of their mapping efforts, making sure that we put a stop to robocalls, caller ID spoofing, ensuring the United States adopts cutting edge and forward-looking spectrum policies, and many other issues.

I know she will be that voice and it is critical that we have one right now. We know that she is capable of helping us implement what are the broadband deployments that we have just put a lot of resources against.

But I would ask those who are trying to reposition Ms. Sohn to think about who it is you are really advocating for, the billions of people—billions of dollars that people want to continue to have in expensive broadband, or the policies that will help us get true competition in the marketplace and finally deploy the types of broadband services that every American deserves.

I hope that our hearing will help bring these issues that haven't been brought to light, further, to light, and that we have a healthy

discussion, but we continue to respect the witness and her willingness to serve us at the FCC.

And with that, I will turn it over to my colleague, the Ranking Member, Senator Cruz.

**STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS**

Senator CRUZ. Thank you, Madam Chair. And Madam Chair, I also appreciate your delaying this markup an hour so that we can all attend the classified briefing. It is important to members on both sides. We were very interested in doing so. Vetting a nominee to the Federal Communications Commission is a serious task.

The FCC is an agency with vast power over how Americans communicate and what information they access. It is also an agency with a history of abusing vague statutory provisions to pursue partisan policy goals.

We know enough from today's extreme left what happens when power is put in the wrong hands. It doesn't take much to imagine a partisan FCC going down a dark path of attempting to censor what we see, hear, read, and ultimately think.

As such, our responsibility as Senators is to make sure that an FCC nominee not only has the expertise to be an independent regulator, but also possesses good judgment and temperament. The nominee must be fair, ethical, and perhaps most importantly, honest.

On all of these fronts, this nominee has failed to meet the standard. There is a reason why we are on our third nomination hearing for Ms. Sohn. Both during this process and in her previous positions, she has shown herself to be a partisan who lacks the impartiality and candor necessary to serve in a leadership position at a powerful, independent regulatory agency.

And she has repeatedly displayed bad judgment and questionable ethics. She is associated herself repeatedly with the most radical views on the far left. I want to break down each of these points, but first, let's recap how we got here.

In March 2020, Ms. Sohn joined the board of a streaming service called Locast, despite knowing that it was embroiled in a lawsuit arising from the group's piracy of broadcast content. The following year, the White House began vetting her for a spot on the FCC. During the vetting process, a reasonable individual might have stepped aside from Locast but Ms. Sohn did not.

Despite being considered to regulate the very same companies that were suing her organization for stealing from them, Ms. Sohn remained on Locast board. Then in the fall of 2021, a Federal Judge found that Locast had engaged illegal behavior, ordered it to stop operating, and awarded statutory damages of \$32 million to the broadcasters. On October 26, 2021, President Biden announced his intent to nominate Ms. Sohn. Just 1 day later, Ms. Sohn signed an agreement settling the lawsuit.

Ms. Sohn then hid significant details about the settlement from this committee. She actively misled Senators about the settlement's dollar value and her ability to share settlement information with the Committee. It is clear why. The settlement was a sweetheart deal. The broadcasters drastically reduced her organization's pen-

alty by 98 percent, literally \$0.02 on the dollar, from \$32 million to \$700,000.

It was already improper that she executed a settlement with the broadcasters at the very same time she was being nominated to the FCC. But to then cut a sweetheart deal with them and to be dishonest with it, with members of this committee, is disqualifying. A basic requirement for public officials is trustworthiness. And on that front, Ms. Sohn has failed.

If Ms. Sohn's brazen theft of intellectual property, her lack of candor, and her conflicts of interest weren't disqualifying on their own, then her long record of poor judgment should seal her fate. Just this past year, while her nomination was pending, Ms. Sohn was making multiple financial donations to Senators who were charged with voting on her confirmation.

Had this been done by a Republican nominee, I have no doubt that my Democrat colleagues and their media allies would be apoplectic at this point. But sadly, this level of unseemliness is a pattern with Ms. Sohn.

She has engaged in extreme vitriol against her political opponents repeatedly, and she has endorsed far left radicals' character assassination attempts against numerous Republican and Democrat Senators, indeed multiple Senators sitting on this committee.

She has deep ties to far-left organizations, engages repeatedly in partisan attacks, and has also promoted anti-police views. For example, she retweeted and liked post by Congresswoman Alexandria Ocasio-Cortez calling for defunding the police.

And in July 2020, during riots in Portland, Oregon, she retweeted a post attacking Federal law enforcement officers as, "armed goons in riot gear with tear gas." It is no surprise that her nomination is opposed by multiple law enforcement groups, including the Fraternal Order of Police and the National Sheriffs Association.

Ms. Sohn portrays herself as a defender of free speech, but she has a history of campaigning to censor conservatives. She calls Fox News, "dangerous to our democracy," and has urged the FCC to revoke Sinclair's broadcast licenses. At the same time, she has a history of fighting against the indecency regulations that protect children from exposure to filth on TV.

To Ms. Sohn, it seems that conservative speech is worse than obscenity. Madam Chairwoman, I do not believe this is a nomination that will earn the votes to be confirmed, and I do not believe her record is suitable to serve on the FCC.

The CHAIR. Thank you, Senator Cruz. I am going to call on the Ranking Member of the Subcommittee, Senator Luján.

**STATEMENT OF HON. BEN RAY LUJÁN,
U.S. SENATOR FROM NEW MEXICO**

Senator LUJÁN. Thank you very much, Madam Chair, Ranking Member Cruz. As the Chair of the Subcommittee, it is an honor to be here before you. Now, Ms. Sohn, it has been a year since you were last before the Committee. Unfortunately, I missed your second hearing. I had a stroke, and it means a lot that you are back here so that I can fully participate in now your third hearing.

In all full seriousness, I hope that there is a serious conversation today about your dedication and qualifications, and especially the dire need to fill the FCC. It has been 755 days that we don't have a full functioning FCC.

I know that we want to get there. I hope that that's something that is supported by the entirety of the membership of this body. With each additional day, more ink is spilled over this nomination. Frankly, we get more deliberate attempts to extend this vacancy for as long as possible.

Now, I would like to take my time today to clarify the record and talk openly about what is happening. Fundamentally, this position remains vacant because the companies that are lawfully subject to oversight by the FCC don't want a watchdog. They don't want to be regulated, and these companies have spent an immense amount of money and influence to keep this position vacant.

The more that I read the more time that goes by, it seems more and more clear to me. And it is frustrating because I know the importance of what these entities mean to the country, especially with building out the importance of the infrastructure in a bipartisan bill that we all supported together, and especially for those of us in more rural states with what a full functioning FCC will mean.

Chair Cantwell, I ask for consent to enter into the record five documents.

The CHAIR. Without objection.

Senator LUJÁN. A report by Margaret McGill for Axios. An investigative report by Cat Zakrzewski and Cristiano Lima for the *Washington Post*, "Biden's Internet Promises in Limbo Amid Long Battle Over FCC Nominations." "The Mystery of Biden's Deadlocked FCC" by Nilay Patel from the *Verge*. And a report by Howard Buskirk from *Daily Communications* on "Proposed Fines Against Carriers for Data Violations Appears Stalled at A Split FCC."

A report by Jon Brodkin of "Ars Technica ISP admits lying to FCC about size of network to block future funding," so I appreciate that. A few things to highlight in these. First, last December, Senator Thune and I convened a hearing on digital discrimination in our Subcommittee on Communications, Media, and Broadband.

[The information referred to follows:]

Axios

May 19, 2022—Technology

DEADLOCKED FCC COULD DERAIL BIDEN'S DIGITAL EQUITY PLANS

Margaret Harding McGill



Illustration: Annelise Capossela/Axios

The Biden administration has charged the Federal Communications Commission with prohibiting digital discrimination—but without a third Democratic commissioner to break the agency's partisan deadlock, those plans are in trouble.

Why it matters: One of President Biden's key domestic priorities, improving Internet access and affordability, can't advance unless the Senate confirms his FCC nominee.

Catch up quick: The Federal Communications Commission has been deadlocked at 2 Democrats and 2 Republicans since Biden took office, and his nominee for the third seat, Gigi Sohn, has been *awaiting a Senate vote* for months amid Republican opposition.

What's happening: The agency is required by the Infrastructure Investment and Jobs Act to craft rules preventing digital discrimination on broadband access.

- The rules would prohibit Internet service providers such as Comcast or Verizon from deployment discrimination based on the income level or predominant race or ethnicity of the people living in an area.
- A 2020 study of Internet access in Oakland, Calif., found that areas that were redlined by banks in the past—denied loans or investment—now have less ISP competition and fiber-based services than their wealthier counterparts.

The intrigue: FCC Chairwoman Jessica Rosenworcel launched an inquiry in March, with support from the agency's Republicans, on how to create rules preventing digital discrimination and facilitating equal access to high-speed internet.

- A major question is how the agency will interpret a part of the law that says the rules should take into account issues of “technical and economic feasibility.”
- Advocates fear Republicans at the agency will use that exception to render new rules meaningless and say Rosenworcel will need Democratic support to craft aggressive rules.
- “If the Biden administration, which fought for the inclusion of this provision, really wants to operationalize that sort of program to address more fundamental equity concerns, they need a 3–2 commission and they need it yesterday,” Greg Guice, director of government affairs for tech advocacy group Public Knowledge, told Axios.

Between the lines: Despite the split, the FCC has adopted several policy items on a bipartisan basis, including a proposal to require “*nutrition labels*” for Internet

service and rules meant to boost competition among broadband providers in *apartment buildings*.

The big picture: The FCC is also expected to *reinstate net neutrality rules* and tackle regulations on TV ownership if it gains a Democratic majority.

- The Federal Trade Commission, which was deadlocked at 2–2 for months, will likely take up *several Biden priorities* now that its third Democratic commissioner has been confirmed.
- *What's next:* Left-leaning public interest groups are urging the Biden administration and Senate to confirm Sohn to the commission.

Washington Post

BIDEN'S INTERNET PROMISES IN LIMBO AMID LONG BATTLE OVER FCC NOMINEE

Almost 250 groups will send a letter Friday to congressional leaders, calling for the Senate to vote to confirm Democratic nominee Gigi Sohn

By Cat Zahrzewski and Cristiano Lima October 14, 2022 at 8:00 a.m. EDT

The nation's telecommunications regulator has been without a Democratic majority for the entirety of President Biden's 21-month tenure, hamstringing efforts to restore open Internet protections and close the digital divide.

Breaking the deadlock at the Federal Communications Commission hinges on confirming Gigi Sohn, a longtime public interest advocate and former Democratic FCC official who was first nominated by the White House *nearly a year ago*. As the midterm elections approach and Democrats' ability to retain their narrow control of the Senate remains uncertain, Sohn's supporters are warning Congress that the clock is ticking to lock in a majority at the agency.

On Friday, about 250 industry and public interest groups *wrote a letter* to top Senate leaders calling for a vote on Sohn's nomination before Congress adjourns at the end of the year.

"The FCC needs a full commission as it begins to deliberate on upcoming critical decisions that will have profound impacts on the economy and the American people," leaders from groups including the Consumer Technology Association, Rural Wireless Association and Color Of Change wrote in a letter shared exclusively with The Washington Post.

The push from Sohn's supporters follows what her allies describe as an unprecedented effort from some telecommunications and media lobbyists to block her nomination. Biden's failure to secure a majority or full complement of commissioners at the FCC marks one of the *longest delays in recent memory* for a first-term president. "It's insane," said Greg Guice, the director of Public Knowledge's government affairs team who has worked in roles related to tech regulation for more than 20 years. (Sohn previously worked at Public Knowledge, which is among the signatories of the Friday letter). Lobbyists "know that being down one seat means they can better control the agenda," he said.

The stakes for industry are high: During the Trump administration, the then Republican-led agency advanced a wave of deregulation, reversing *Obama-era net neutrality protections* and eliminating decades-old rules that preserve media diversity in local markets. With a majority again, Democrats are expected to reverse those moves.

Sohn's nomination also comes as the Federal government is expected to soon invest an unprecedented amount of funding in expanding Internet access, following the infrastructure legislation that Congress passed last year. That legislation directed the agency to develop rules to address discrimination in Internet access on the basis of income level or race. There are widespread inequities in how broadband is delivered, and new rules under a Democratic FCC could create more costs for major Internet service providers.

Since the White House began vetting her for the position in the spring of 2021, Sohn has largely been sidelined from publicly commenting on telecommunications policy. Over the last year, she's been frequently attacked as a partisan in publications including Fox News, the New York Post and the Wall Street Journal op-ed pages. The process has taken a personal toll, opening Sohn up to threatening phone calls and e-mails and name-calling. Sohn, who would be the first openly gay FCC commissioner, has also faced attacks on her sexual orientation.

"It's a tragedy," said Gary Shapiro, the president of CTA and a friend of Sohn. "We can't even let people we disagree with get into positions anymore without attacking them personally."

Sohn's nomination has seen fierce opposition from congressional Republicans, and some companies appear to be taking steps to target moderate Democrats who could decide her nomination.

Comcast this year paid former Senate majority leader Tom Daschle (D) and his firm \$30,000 to lobby on the "Status of FCC nominations," among other issues, according to a July disclosure filing. Sohn is the only pending nomination for the commission.

The company in January also tapped a former state lawmaker who served alongside Sen. Kyrsten Sinema (D-Ariz.), widely seen as a crucial swing vote on the Sohn nomination, to lobby on FCC nominations. The filing disclosing the lobbying focus was later resubmitted and amended to scrub mention of the FCC nomination, as news outlets reported at the time. Comcast also retained Larry Puccio, the former top aide to Sen. Joe Manchin III, another critical Democrat to lobby on telecommunications issues, though it did not mention nominations.

Preston Padden, a former top executive at Fox and Disney, said he could recall no other occasion where companies "microtargeted" specific lawmakers to oppose a FCC nominee.

"What Comcast has done to Gigi Sohn in my experience is absolutely unprecedented," Padden said.

The filings do not indicate how the groups lobbied on the nominations or other issues. Comcast did not return a request for comment. The company has previously declined to comment on lobbying filings.

"The Daschle Group did not lobby for or against any nominations," Daschle's vice president, Veronica Pollock, said. "We consistently track the status of nominations and share updates with clients when there is movement in Congress."

Telecommunications companies are among the most formidable lobbying forces in Washington, but Sohn's supporters say it's impossible to calculate how much the industry has spent to specifically oppose her nomination because such figures are not broken out in Federal lobbying disclosures. AT&T, Comcast, Verizon and T-Mobile have spent over \$23 million combined lobbying Washington so far this year, with Comcast leading the pack at \$7.4 million, according to data from OpenSecrets, a nonprofit that tracks spending on campaign finance and lobbying.

David Segal, founder of the left-leaning advocacy group Demand Progress, said the telecom lobby "still wields extraordinary political power" in Washington, which companies have used to stymie efforts to address what he called their "increasingly extractive business models." And they stand to benefit from a Sohn-less FCC, he said.

"The Biden administration has been strong on competition policy, and the FCC has important jurisdiction there that can't be deployed to full effect without a full commission," he said.

The telecom giants have declined to publicly campaign against Sohn's nomination, and some have said they have remained neutral behind closed doors.

AT&T spokesperson Alex Byers told The Post in a statement in May, "We have not taken a position on Gigi Sohn's nomination, have not asked any third-party organization to take a position, and have not funded any campaigns against her nomination."

Congressional Republicans have called into question Sohn's commitment to bipartisanship, citing her old tweets criticizing conservative news outlet Fox News. Sohn has pushed back on the claims.

"In Ms. Sohn, President Biden has nominated someone who cannot fulfill part of the responsibilities of FCC commissioner, and whose record strongly suggests that she cannot be relied upon to fulfill any of her responsibilities in an impartial manner," Sen. John Thune (R-S.D.) said during a March floor speech. All 14 Republicans on the key Senate Commerce Committee opposed advancing her nomination.

Sohn's confirmation has also been bedeviled by procedural factors and complications in the 50-50 Senate. A committee vote on her nomination was delayed during the absence of a key Democrat on the Senate Commerce Committee, and she has to overcome additional hurdles because that vote split evenly on party lines.

Revolving Door Project director Jeff Hauser, whose watchdog group tracks Federal appointments, said a scarcity of floor time and "outdated" Senate protocols have stymied Democrats' ability to quickly confirm nominees. The dynamic has forced Senate Democrats to make difficult choices about which appointees to prioritize, particularly as they push to confirm an array of judicial nominees before potentially losing control of Congress.

"Obama-era Democrats did not prioritize judicial nomination, and it is overdue progress that Biden and Schumer have done much better on that front. But judicial confirmations alone will not make the lame duck remotely successful," Hauser said, adding that "it is urgent that they fill vacuums at independent agencies."

A spokesperson for Senate Majority Leader Charles E. Schumer (D-N.Y.) declined to comment on timing for a potential floor vote on Sohn.

The White House reaffirmed its commitment to Sohn's nomination in a statement Wednesday.

"We've been working relentlessly with Congress to get a confirmation vote," White House spokesperson Olivia Dalton said. "The majority of the FCC hangs in the balance and we want Sohn's talents, expertise and experience at the Commission."

The FCC said in a statement that despite the deadlock, the agency has made progress on broadband access, network security and other initiatives.

"While we look forward to the Commission having a full dais again, we've done a lot with a 2-2 bench and will continue to do so on behalf of the American people," the agency said in a statement.

The Verge

THE MYSTERY OF BIDEN'S DEADLOCKED FCC

How often do the parent companies of Fox News and MSNBC team up?

By NILAY PATEL/@reckless

Nov 3, 2022, 1:40 PM EDT



Today, we're just talking about a problem. That problem is the Federal Communications Commission (FCC) is currently short a commissioner, and the Biden administration and Senate Democrats just can't seem to get that seat filled despite having nominated an amazingly qualified person. Her name is Gigi Sohn. The inability to get Gigi confirmed at the FCC has left the commission deadlocked with two Democrats and two Republicans. That means the commission in charge of regulating all telecom in the United States, including how you get your Internet service, is unable to get much done. And the Biden administration can't accomplish some of its biggest policy priorities, like expanding rural broadband and restoring net neutrality. President Biden first nominated Gigi Sohn to the FCC over a year ago, but the full Senate vote to confirm her just hasn't happened.

We've been digging into this story for a few months now, trying to figure out what's going on here, and we found a simple but really frustrating answer.

"It's corruption. I mean, we can call it a lot of things, but what we're witnessing is just ordinary corruption," Karl Bode told us. Karl is a veteran telecom reporter. I've known him forever, and he is one of many people we talked to for this story.

We're doing something a little different with this episode of *Decoder*. You're going to hear from a bunch of in-the-know people about what happened to Gigi Sohn's FCC nomination and why it matters. This story has strange crisscross alliances, behemoth bad actors, shady politicking, and even some good old-fashioned family drama. But most of all, it reveals a lot about the huge problems plaguing politics and policy in the United States today. Karl again: "I've covered the telecom sector for I think 22 years, and I've never seen anything quite as shady as this."

And just so you know, here's a list of people and organizations we reached out to about this episode of *Decoder* who refused to speak to us on the record: Fox News, Comcast, the Fraternal Order of Police, former FCC Chairman Ajit Pai, Democratic Senators Joe Manchin and Kyrsten Sinema, Republican Senator Roy Blunt, the Biden administration, Verizon, the former Speaker of the Arizona House Republican Kirk Adams, former Democratic U.S. Senator Heidi Heitkamp, FCC Chairwoman Jessica Rosenworcel, and FCC nominee Gigi Sohn. It's a wild one.

Okay, the fight over Gigi Sohn's nomination to the FCC and why it matters. Here we go.

The following transcript has been lightly edited for clarity.

This story ends up revealing corruption, but it starts with good old-fashioned confusion.

KARL BODE: It makes no sense that this has been such a protracted nomination process.

That's Karl Bode again, talking about Gigi Sohn.

KARL BODE: The thing that's funny to me is that if you talk to anybody in telecom policy on both sides of the aisle, she's extremely popular. She's well-qualified. We've seen people appointed to the FCC that have a tiny, tiny fraction of the experience.

I agree with Karl, and that's why I started tracking this story. I have interviewed Gigi before, and she has even written for The Verge in the past—always about making Internet service better and cheaper for regular people. So I have been baffled as to why someone like Gigi Sohn couldn't get confirmed to the FCC. Gigi was nominated to the FCC over a year ago, and throughout her career, she has been popular with just about everyone. She is known as an incredibly talented telecom regulator who has been willing to work across the aisle.

GIGI SOHN: Thank you, Chair Cantwell, Member Wicker, members of the Committee. I'm honored to be nominated by President Biden and to be considered by this committee for a seat on the Federal Communications Commission.

Here's Gigi talking about her background at her *first confirmation hearing* in December 2021.

Listen to *Decoder*, a show hosted by *The Verge*'s Nilay Patel about big ideas—and other problems. [Subscribe here!](#)

GIGI SOHN: The radio was always on in my family kitchen, where reports from the front lines of the Vietnam War, Watergate, and other critical events of the sixties and seventies resonated. It was there that I learned the power of communications networks to inform public discourse and promote democratic values. My love of local broadcasting, and especially radio, led me to Boston University, where I studied Communications Law and Policy. After school and private practice, I started what has been an over-30-year career as a public interest lawyer advocating for policies that ensure that modern communications networks are available to everyone, regardless of who they are or where they live.

Gigi is a lawyer by training. She is currently a fellow at Georgetown Law and the Benton Institute for Broadband & Society. She co-founded and ran Public Knowledge, an organization that advocates for consumers in the telecom industry and I have talked with lots of people from Public Knowledge over the years. Given that the FCC is supposed to advocate for consumers, she seemed like a natural choice to be a commissioner. Plus, she has worked at the FCC before; she advised former chairman Tom Wheeler during the Obama administration when the FCC adopted its strongest-ever net neutrality rules.

MAKENA KELLY: Here's the thing, when you talk to people about Gigi, if you were talking to them—Republicans, Democrats—a year ago, maybe a little over a year ago, everyone loved her.

That was Makena Kelly, a politics reporter on the Verge team. Telecom lawyer David Goodfriend said something similar.

DAVID GOODFRIEND: Thousands of people have actually reached out to their members of Congress to say, "We need you to confirm Gigi Sohn."

So did Craig Aaron, the co-CEO of Free Press, which advocates for competition in media and an open internet. Here is some of what he had to say about Gigi.

“She’s been a consistent advocate for what’s right time and time again, and she’s shown she can work with just about anybody across the political spectrum.”

CRAIG AARON: She’s been a consistent advocate for what’s right time and time again, and she’s shown she can work with just about anybody across the political spectrum—public interest, corporate interest, you name it, to get good things done. That’s the kind of person you need at an agency like the FCC.

One more person expressed his support for Gigi. Chris Ruddy, the CEO of Newsmax—yes, conservative cable network Newsmax—is a vocal supporter of Gigi’s nomination.

CHRIS RUDDY: I’ve strongly supported her nomination. I’ve known her for some time. I think she’s a person of integrity. We probably disagree on a lot of issues. In fact, I know we disagree on any number of big issues. She would probably identify herself as liberal, maybe progressive, and I would say I’m conservative.

Am I going to agree with her on every issue? No, but I do think that the fact that every major big company, all the big conglomerates, don’t like her suggests that maybe she’s on a path that’s at least going to look out a little bit more for the consumer and the little guy and gal, so to speak.

You’ll hear more from Chris Ruddy later. Okay, if many people on both sides of the aisle love Gigi, why can’t she get confirmed to the FCC?

When we first started looking into this story earlier this year, it seemed like the Biden administration and its slim Democratic majority in the Senate just couldn’t get this done, because, at the time, it really couldn’t get much of anything done. A lot of the Democrats’ biggest policy priorities were stalling out. Then, around the summer, things changed.

NEWS ANCHOR: . . . where there appears to be a breakthrough on President Biden’s economic agenda.

NEWS ANCHOR: President Biden signed the \$280 billion *CHIPS and Science Act* into law today.

A flurry of big legislation passed.

NEWS ANCHOR: You’ve got the CHIPS Act the President signed today, the *PACT Act*, which he’ll sign here tomorrow, and then by the end of the week, the *Inflation Reduction Act*.

The usual holdouts like Senators Manchin and Sinema got on board and the Dems were getting things done.

NEWS ANCHOR: The biggest U.S. investment ever to help fight climate change passing the House, the Inflation Reduction Act now headed to the President’s desk.

There was still no movement on Gigi. It was around this time that we finally got to the bottom of why.

DAVID GOODFRIEND: Gigi Sohn is a manifestation of a much bigger tug-of-war going on right now between a very small number of extremely powerful corporate interests and the public interest.

That’s David Goodfriend, the telecom lawyer again. David previously worked at the FCC, and he has also known Gigi for a long time.

DAVID GOODFRIEND: There are really two companies that have been literally financing a campaign to stop the Senate from confirming Gigi Sohn, and those two companies are Rupert Murdoch’s Fox Corporation and Comcast. Those two companies have paid for lobbyists to actively court swing votes in the Senate against Gigi Sohn.

*We promised crisscrossed alliances and here they are. Rupert Murdoch, who controls Fox News and *The Wall Street Journal* parent company News Corp, is on the same side as the Roberts family and Comcast, which owns MSNBC. These are not your usual allies.*

It’s bizarre that Comcast and the Fox News machine have teamed up to obstruct Gigi, and they’re doing it in two politically critical states.

DAVID GOODFRIEND: who used to serve as chief of staff to Senator Manchin back when Senator Manchin was governor. Senator Manchin has not said one way or the other which way he intends to vote, and that’s because his former chief of staff was hired by Comcast to lobby him against Gigi.

The same thing happened in Arizona, home of centrist Democratic Senator Kyrsten Sinema.

DAVID GOODFRIEND: Back in January, Comcast hired a lobbyist in Arizona named Kirk Adams of Consilium Consulting. And Adams filed a lobbying disclosure, which of course he’s required to do, and it lists on his very own disclosure that he expects to work on FCC nominations. He then quickly recanted that and replaced it with telecommunications policy.

Well, Comcast refused to comment, but I think the article in Ars Technica points out that this was pretty clearly an attempt by Comcast to swing Senator Kyrsten Sinema's vote against Gigi Sohn. They've done it in Arizona, they've done it in West Virginia, and they're hoping that they can stave off enough Democratic votes in the Senate to stop her from being confirmed.

*This is where I should disclose that Comcast's NBCUniversal division is a minority investor in **The Verge**'s parent company of Vox Media, which we disclose all the time. Anyway, while Comcast was busy lobbying politicians, Fox News and **The Wall Street Journal**, which are both owned by Rupert Murdoch, were actively running negative stories about Gigi. Karl Bode told us about this too.*

"None of these are supported by any facts that you can find if you spend 30 minutes objectively researching her record."

KARL BODE: All of the Fox properties have been very active in pushing things, ideas—false ideas like Sohn hates the police, she'd be bad for rural America, she wants to censor conservatives, she's bad for media diversity. None of these are supported by any facts that you can find if you spend 30 minutes objectively researching her record.

Here are just a couple Fox News segments about Gigi. You will hear one Fox anchor talking to Ted Cruz, and another Fox guest referencing the CCP, the Chinese Communist Party.

NEWS ANCHOR: What do you think of this woman, Gigi? The name sounds a little funky, and the glasses make me think twice, but she seems like she has a radical agenda. Now she's in charge of this place?

SEN. TED CRUZ: Yes. Look, she hates Fox News. She has been vocal and partisan a long time.

NEWS GUEST: Looking up the word "hack" in the dictionary, Gigi Sohn's photo should be right next to it. She wants to pull the broadcast license of this network. Gigi Sohn will turn the FCC into the CCP, and this is a bridge even Pyongyang wouldn't go over.

Part of the argument on Fox News is that if Gigi is added to the FCC, she'll somehow censor Fox. But there's no evidence that she has any plans to do that at all. Even if she wanted to, it's not like she could, because that is not a power the FCC has. In fact, the more likely outcome is the opposite: that she would encourage Fox to say whatever they want.

KATHARINE TRENDACOSTA: I don't even understand that argument because Gigi is pretty infamously in favor of free expression online, and the FCC has no control over that.

That is Katharine Trendacosta from the Electronic Frontier Foundation.

KATHARINE TRENDACOSTA: That's not really its job, especially when it comes to telecommunications. The FCC doesn't tell phone companies that if you make a lewd phone call, they have to cut you off of phone service. That's the same bucket that the Internet is under, right? So, none of that is related to anything. The FCC is not involved in deciding what speech is or is not allowed on the internet, at least.

There is a long and complicated tangent we could go down here. Basically, the Supreme Court has held that since the public owns the airwaves in the United States, the government can regulate broadcast speech to make sure it's in the public interest. That's where you get the FCC doing things like indecency complaints, the seven dirty words, and fines for Justin Timberlake and Janet Jackson at the Super Bowl. Traditional broadcast networks like ABC and CBS are using the public's airwaves, and the government can tell them what's allowed and what's not. Cable networks like Fox and Internet companies like Google and Facebook don't broadcast on public airwaves, so there is really no legal basis for the FCC to regulate what happens there.

KATHARINE TRENDACOSTA: TV and the radio—those are public airwaves that the FCC has granted people permission to use. And so they have certain rules about that, because anyone could listen and it's a public space. However, as we all know, if you're on cable, those rules don't apply because that's not a public airwave that has been licensed out. It's basically that. It's the difference between something that is a publicly owned airwave and something that is privately owned.

Despite that reality, Fox News is out there saying, "Watch out for a Democratic FCC commissioner. She'll censor your speech." And this smear campaign has extended across the rest of Rupert Murdoch's media properties.

We did reach out to News Corp, the parent company of *The Wall Street Journal*, and in an e-mail, News Corp chief communications officer Jim Kennedy denied a coordinated attack. He told us, "*The Wall Street Journal* and its editorial board speak for themselves. News Corp did not lobby for or against the nomination."

There's a lot of pearl-clutching over stray tweets.

Despite this denial of a coordinated attack against Gigi Sohn, *The Wall Street Journal* and Fox News are still attacking her.

CRAIG AARON: There's a lot of like, "oh my God," pearl-clutching over stray tweets. *That's Craig Aaron again.*

CRAIG AARON: What you see is a lot of quotes taken out of context, a lot of essentially front groups, like organizations that take a lot of money from big telecom and big cable interests, coming out with push polls.

A push poll is a poll with very suggestive questions that basically trick people into agreeing with anything you want.

CRAIG AARON: Like, "Oh, I think the police are very concerned because Gigi once said something about encryption," or questioning her stance on rural America and parsing quotes out of context. And suddenly, you see it in an ad, and then it's on *The Wall Street Journal's* editorial page, and then it pops up over here. And then all of a sudden, a lot of people who literally live to take company money to smear people on their behalf, start raising their hand and trying out and saying, "Oh, I could also say mean things about this candidate." And you start to get this noise floor that then reaches policymakers and decisionmakers.

*Craig mentioned a *Wall Street Journal* op-ed, but there have been several *Journal* opinion pieces, including one by the editorial board with headlines like, "A Media Censor for the FCC?" "Hyperpartisan Gigi Sohn Doesn't Belong at the FCC," and my favorite, "Gigi Sohn and the Police: Democratic senators are at risk if they vote for Biden's progressive FCC nominee."*

The police thing is something else, by the way. The Fraternal Order of Police published a press release about a poll it commissioned, claiming that, "When shown messaging about Gigi Sohn's past actions such as, 'Gigi Sohn has publicly supported defunding the police,'"—they mean liking tweets—"61 percent of registered voters indicate that they are less likely to support Ms. Sohn's nomination." We asked for more information about the specific questions on this poll, but the Fraternal Order of Police declined to comment.

Another thing that has added fuel to the "Gigi is anti-police" fire is that she is also on the board of the Electronic Frontier Foundation, or EFF. You have already heard from Katharine Trendacosta of EFF. The EFF opposes tech companies turning user information over to the police, and well, the police don't like that very much.

What Senate Republicans have really grabbed onto are the tweets Craig mentioned. In 2020, Gigi tweeted, "For all my concerns about#Facebook, I believe that Fox News has had the most negative impact on our democracy. It's state-sponsored propaganda, with few if any opposing viewpoints. Where's the hearing about that?" Gigi was asked about that one at her first confirmation hearing by Missouri Senator Roy Blunt, a Republican.

SEN. ROY BLUNT: I've got a list of comments here about Fox News. Are you biased against them?

"Anyone who knows me knows I'm pretty direct."

GIGI SOHN: You are referring to my tweets that are now pretty famous. I understand they're concerning to some, and anyone who knows me knows I'm pretty direct. But they were made in my role as a public interest advocate. They were made in the context—and I think context is very important—context of hearings, hearings and media reports. You know, maybe the tone was a little sharper. Maybe I should have dulled it a little bit. But again, it was part of my job, essentially, as a public interest advocate.

SEN. ROY BLUNT: And do you think they're the only news agency that is state-sponsored propaganda? That's your quote, by the way.

GIGI SOHN: Yes, I know it's my quote, yes. Just to complete my thought. My opinions as a public interest advocate will have no bearing on how I behave as a policymaker if I'm confirmed.

*Another shady actor joining Comcast and the Murdochs on the anti-Gigi team was the American Accountability Foundation. The AAF is a whole other tangent we could go on. Jane Mayer did great reporting on them in *The New Yorker*, but basically, they're a totally mysterious dark money group. No one knows where their funding comes from, but their sole explicit purpose is to smear and obstruct Biden nominees.*

They come up with wild narratives, especially about lesser-known nominees, and push them until they catch on with conservatives. You might have seen that Marjorie Taylor Greene made the baseless accusation that then-Supreme Court nominee Ketanji Brown Jackson had been lenient on sex offenders during her time as a U.S. district court judge and even called her "pro-pedophile." It was the AAF that started peddling that story. And Gigi has been on their hit list too—she's on the front page of AAF's smear website BidenNoms.com.

*While all this external shadiness was going on to make noise about Gigi's nomination, a bunch of procedural stuff was happening inside the Senate chambers. Lots of boxes need to be checked for a nominee to be confirmed to the FCC. First, the president nominates someone. President Biden took office in January 2021, and he moved quickly on some progressive nominations, like the appointment of **Lina Khan to the Federal Trade Commission**. But he didn't move on the open FCC slot. So by the time he first nominated Gigi in October of 2021, the telecom-driven propaganda machine had had plenty of time to gear up, bracing itself to obstruct the confirmation.*

*The Senate Commerce Committee held Gigi's first confirmation hearing in December 2021; you have already heard some clips from it. At these hearings, different senators on a committee interview the nominee, and then the committee votes on the nominee. If they vote yes, the nomination goes to the Senate floor, where a majority of all U.S. senators have to vote "yes" to get the nominee confirmed. Likely because of all of the lobbying in opposition to Gigi, the committee failed to advance her nomination to the floor for a confirmation vote, and her nomination expired. So then Biden had to renominate Gigi in January of this year, and she had a **second confirmation hearing** in February. As you might have imagined, the Republicans came out swinging in this one.*

SEN. DAN SULLIVAN: I don't even know where to begin here. I too am very disturbed with, Miss Sohn, with your tweets.

SEN. MIKE LEE: If you're trying to force the hand of the agency of the law-making body of the Federal government, by doing that which only Congress can do, how is that constitutional?

SEN. DAN SULLIVAN: Damn. That's way out there. Do you think most Republicans are racists and white supremacists?

SEN. TED CRUZ: And I've got to say, Ms. Sohn, the timing of the settlement stinks.

SEN. DAN SULLIVAN: I don't see how you can be unbiased. It seems to me you have conflicts everywhere, and that makes your impartiality, not to mention your judgment—I think you have very big issues with judgment given your previous tweets.

Eventually, despite all this, Gigi won the committee's vote, and her nomination went to the Senate floor. But there still hasn't been a floor vote to confirm her to the FCC even though she was nominated over a year ago.

So, why didn't the Biden administration push for a floor vote that would've led to Gigi's confirmation? They chose not to—at least not publicly.

Makena Kelly actually asked Senator Schumer about this earlier this month.

MAKENA KELLY: What is happening with Gigi Sohn? Should we expect her to be confirmed?

SEN. CHUCK SCHUMER: What's happening? Makena Kelly: Nothing.

SEN. CHUCK SCHUMER: Well, right now, the administration is working on getting the votes for her. They're not there yet, but they're pushing hard to get the votes.

Here's Karl Bode.

KARL BODE: From what I understand, there were some concerns that the nomination of Gigi Sohn early on would've conflicted with their efforts to pass the infrastructure bill. I think they were concerned that any controversy around the nomination of a progressive reformer might cause some additional ripples in efforts to get the votes lined up for infrastructure. I'm not sure that's necessarily true, but from what I understand that was the thinking of some of the advisers that went into the delay.

So it sounds like passing that flurry of legislation was prioritized over Gigi's nomination, but we're not really sure. There was some noise that a vote might happen before the Senate's Fourth of July recess, but now it's November, and the midterms are in just a few days.

KARL BODE: Comcast was really active in states where Democrats were vulnerable in the midterms.

Karl told us that Comcast and other members of Gigi's opposition have specifically targeted Democrats in red or purple states who are worried about getting reelected, spooking those vulnerable Democrats from supporting Gigi. That's how Republicans and big telecom ground things to a halt, and there was some help from Democrats along the way.

"I don't care how far you have to dig, it's not based on anything close to fact."

KARL BODE: I've seen like—Heidi Heitkamp, she's a former Democratic senator who I think is running a little PAC that I think the telecom industry is feeding, spreading the idea that Sohn is really bad for rural America. It's bipartisan. I think it's a little heavier on the right-wing side since they pretty much have a unified blockade against her nomination, but it is bipartisan. The whole Heidi Heitkamp

project is basically suggesting that she's terrible for rural America, which again, I don't care how far you have to dig, it's not based on anything close to fact.

Here's the thing though. Yes, the opposition to Gigi comes from both sides, but so does the support.

Gigi has long worked with right-wing news networks that compete with Fox News to make cable systems like Comcast more competitive. She worked with Charles Herring, the president of right-wing One America News Network (OAN), to get his other channel WealthTV onto big cable systems by filing complaints against them. And she worked with Newsmax CEO Chris Ruddy to oppose the merger of Sinclair Broadcast Group with Tribune Media Group, which would have consolidated broadcasting to 73 percent of U.S. households. These are competition concerns, not speech regulations.

So when Gigi was first nominated, Ruddy offered his support for her nomination. You heard from him at the top. Chris runs Newsmax, one of the most conservative news outlets in the country. Here's more from our conversation with him.

CHRIS RUDDY: I can tell you a few years back, I opposed the merger of Sinclair television stations with Tribune, which would've created a massive television network that reached 80 percent and had control over the market of 80 percent of U.S. television homes.

That statistic is actually closer to 73 percent.

CHRIS RUDDY: I opposed it and she opposed it. And so I think where we find common interest is that I tend to support even Democrats that support the issues that I care about.

There's been a lot of commentary about Gigi in particular that says she is in support of speech regulations. It seems like you're more worried about competition issues. Are you at all worried about her speech or her tweets, I suppose?

"I don't think that she's ever called for closing down any conservative or any other media that I'm aware of."

CHRIS RUDDY: I'm actually worried about speech issues, but I don't think that she's ever called for closing down any conservative or any other media that I'm aware of. You know, the criticism of Gigi is that she once said during the [Facebook] hearings after the election, I think in a tweet, she suggested there should be hearings about Fox News. Okay. And I think that she said it was "Trump TV" or something. Well, conservatives have said similar things about CNN and called CNN the "Clinton News Network" or "state-run TV" at one point, I remember. So, you know, it's political rhetoric.

She never, ever called for deplatforming. I know that when I had the issue after the election, people were calling for Newsmax to be de-platformed, we strongly, vigorously had to defend ourselves and she was sympathetic—even thought she didn't agree with us—to our viewpoint that we should have the right to broadcast and exist on the internet, cable, and OTT streaming platforms.

Where do you think the opposition to Gigi's confirmation comes from?

CHRIS RUDDY: Well, I think a lot of it is that she's been a fairly progressive activist, so that's given an easy target for Fox in this very highly polarized world. She's also been a very strong supporter of net neutrality. Now, I don't personally like the idea that the government should regulate the internet, but I do believe that it should be an open platform, and I do like the basic concept behind net neutrality, which is that no company can squelch or limit other players on the Internet in their access to broadband.

And we've seen it happen on the Internet where Newsmax is being limited or algorithms have been used against us by places like Facebook and Twitter and other places. So it's very concerning to me that some major broadband provider could start squelching access to the Newsmax stream. Now, we're not aware of that happening, but I think protections need to be in place. So I'm basically in favor of a concept that's similar to net neutrality, but it became such a highly polarized issue, net neutrality—

Yes.

CHRIS RUDDY: I think conservatives actually should support it, but liberals were the ones to sort of back the idea. Again, not the full regulatory concept behind it, but a robust idea that everybody should have access to the Internet and it should be like a utility.

The other player here is Fox News, which really opposes Sohn's nomination. Do you think that they're pushing against her because they don't want you to compete with them on Comcast and other cable networks?

CHRIS RUDDY: The cable industry's a bit of a racket, and the big broadcast companies are part of the racket and they benefit from it. The people that get screwed are the consumers, the cable customers. And so the way the racket works is if you own a lot of television stations that a local cable company needs—ABC, CBS, NBC,

Fox affiliates—they basically have you over a barrel because if they don't give you your channel, people are going to go to another cable system, right?

So now they put a gun to your head and they say, "We want huge fees for the local network affiliate. We have five other channels we want you to put on your basic channel guide, and we want you to pay us for those channels." And there should be a requirement at the FCC that big broadcast companies can't demand that local cable operators take their package of channels and put them on. And what's happened is it's driven up consumer costs, which affects me and everyone else that's buying cable. But also if I'm an independent cable operator, I can't get cable carriage, or it's very difficult because so much of the bandwidth and the channel guide is taken up by all of these conglomerate broadcast television companies.

So Fox has really milked the system and they've been a big beneficiary, and they just want to keep that system going. As a side benefit, they also reduce the potential of Newsmax.

Everybody's so afraid of Fox. They will seek to destroy you personally if you go against them. So a lot of people just are quiet about it.

"Everybody's so afraid of Fox."

Have you talked to anyone in the Biden administration or Senator Schumer about Gigi's nomination and where it stands? Have you pushed for it?

CHRIS RUDDY: I wouldn't discuss who I personally have chatted with or what particular agency. I can tell you that I have talked to both Democrats and Republicans. But we still support Gigi Sohn for the FCC commissioner.

So Ruddy and Newsmax continue to support Gigi Sohn's nomination, but something weird is going on at their big competitor, another far-right news channel, OAN.

OAN president Charles Herring released a statement supporting Gigi in December of 2021, laying out reasons very similar to Chris Ruddy. But then his dad, OAN CEO Robert Herring, rebuked his son for endorsing her on the OAN airwaves. Here are some bits from that broadcast, but let me set them up for you. First, an OAN anchor calls Gigi "an enemy of the First Amendment," then reporter Pearson Sharp interviews Robert Herring. Here is some of that conversation.

PEARSON SHARP: Sohn is one of the most extreme leftists anywhere in Washington. In fact, she's not just a radical leftist, she's a Marxist who has absolutely no regard for free speech or the Constitution. Gigi is an enemy of the free press. Where do you stand on her nomination? Do you or does One America News support Gigi Sohn's nomination?

ROBERT HERRING: Well, this is why I had to come on. My son came out and supported her, but the company itself is not supporting him. At that point, I had to come out and explain that there's no way this company would ever support her, and no way I'll ever let it happen. How my son decided he wanted to, I don't know, I think that because we worked with her for—not really worked with her, but we've known her since about 2003 or 2004, and she's never done anything for us. My son's out there saying that the company [supports her], but there's no way. She shouldn't be anywhere near the FCC, as far as I'm concerned.

PEARSON SHARP: Now I know that you personally reached out to Fox News to offer your support, didn't you?

ROBERT HERRING: I did. I called a couple of people over there that are very high and told them, "I'm sorry," and that we'll try and straighten it out, and that we should never have backed her.

That's a lot of groveling to Fox News. I mean, wow.

So we've talked about who has opposed Gigi and how, but why? Why has big telecom gone to such lengths to oppose Gigi's nomination? David Goodfriend explained to us.

DAVID GOODFRIEND: Rupert Murdoch and Comcast CEO Brian Roberts are determined not to let the Senate confirm Gigi. Why is that? It all comes down to their business. Comcast is in the broadband business and they don't want the government telling them what to do, so they don't like net neutrality. In fact, they've really campaigned against net neutrality. The Obama administration put in place the strongest rules ever to preserve an open internet, and Comcast went to war. The manifestation of that war is their determination not to have Gigi Sohn confirmed in the Senate.

Rupert Murdoch wants to buy more properties, he doesn't like a lot of attention to which broadcast stations he owns or which streaming services he owns, and yet Gigi Sohn has been very clear that she thinks there should be limits on the amount of concentration of media ownership. These two billionaires have decided that they're trying to stop Gigi Sohn.

Karl said something similar, mentioning that telecom wants to prevent the FCC from getting an active and engaged commissioner like the FTC got with Lina Khan.

KARL BODE: I think there's a real aversion amongst these telecom giants. They really don't want a progressive reformer in there who's willing to shake things up in any degree. They enjoyed pretty much a captured FCC for four years under Trump, and now they've enjoyed an FCC for another two years that basically lacks the voting majority to do anything remotely controversial or anything that the public has demanded that their representatives do. It's corruption. I mean, we can call it a lot of things, but what we're witnessing is just ordinary corruption. It gets justified and dressed up as something more intellectually complicated, but it is just corruption.

Verge policy reporter Makena Kelly reiterated this as well.

Biden has made it clear that he wants to restore net neutrality, and you can't do that unless there's three Democratic commissioners at the FCC.

MAKENA KELLY: What they really care about the most—why you keep it two to two—is because Biden has made it clear that he wants to restore net neutrality, and you can't do that unless there's three Democratic commissioners at the agency.

Makena also gave us another example of the kind of problems that arise when the FCC is at a stalemate and largely unable to take action against big telecom.

MAKENA KELLY: The Biden administration struck a deal with a bunch of telecoms—Comcast, Verizon, AT&T—to basically either lower their lowest broadband plans or make them cheaper so low-income families would have better access to the internet, and that had nothing to do with the FCC, really. It's the Affordable Connectivity Program that was passed through Congress, of course, but it was just deals that they struck with these companies. It was just a private market solution.

One of the things that really struck me about those deals is that immediately thereafter, Verizon increased its rates. So they got money from the government and then they increased their rates for their other subscribers. It seems like that's the sort of thing a functional FCC would be in charge of, but at two to two, it seems like they can't really do much of anything.

AT&T gave us this statement: “We have long supported an open internet, and any suggestion otherwise is wrong. We have not taken a position on Gigi Sohn’s nomination, have not asked any third-party organization to take a position, and have not funded any campaigns against her nomination.”

With the FCC in its current state, big telecom isn't really being regulated—and that is by big telecom's design, as we've heard. But there are other consequences of this weakened FCC.

One is that the FCC isn't at full strength to improve access to the Internet in rural and underprivileged areas. This was particularly problematic during the pandemic when people depended on reliable Internet at home for just about everything. Craig Aaron from Free Press also emphasized how the need to close the digital divide became even more urgent when the pandemic hit.

CRAIG AARON: The Federal Communications Commission is the place that sets the rules for how these companies are going to operate—whether they can rip you off, what your choices are going to be, is there going to be real competition. The FCC has a big role to play. It actually has a lot of power over shaping the kind of Internet we're going to have. Is it just going to be Facebook? Is it just going to be dominated by a few players? Or are we actually going to get back to talking about big open pipes that make anything possible? That is the promise, the original promise of the internet.

In fact, the current chair of the FCC herself, Jessica Rosenworcel, talked to us about this on the Vergecast during the pandemic.

JESSICA ROSENWORCEL: I think we need a nationwide plan for addressing the digital divide. As a nation, we need a policy that addresses how we're going to connect all of us and what are the plans we want in place to make sure it happens.

So what's going to happen to Gigi Sohn's confirmation into the FCC? There are three possible outcomes here. The most likely scenario is the vote will happen in the lame duck period between November and January, when new senators have been elected but haven't yet taken office. Several other FCC commissioners—Simington, Carr, Tate, and Edelstein—were confirmed during the lame duck period, so it's very possible this will happen.

Another outcome is that a floor vote on Gigi happens next year with a new Senate.

The third possible outcome is that Gigi never gets a vote, the Biden administration gives up and puts forth a new nominee who's more amenable to big telecom. Karl Bode told us he's worried that might happen, but David Goodfriend offered us a silver lining.

DAVID GOODFRIEND: Well, in some ways, it's a very sad commentary on the outsized influence of a few multi-billion-dollar companies on our politics and our public policy. But on the other hand, I've really felt inspired by the amount of support that

Gigi is getting, because it's very rare that you see such a diverse coalition on anything right now.

I mean, think about it. Newsmax, one of the most conservative news outlets in the United States, supports her. The Communications Workers of America, a labor union, supports her. And thousands and thousands of individual Americans have gone out of their way to tell their senators, "We support her. We like her." When's the last time you found an issue like that in today's Washington? It's rare. So it's inspiring to see how much support there really is for her, and I think she'll be confirmed, because she's shown that she has the mettle for it.

Look, I don't know what's going to happen with Gigi's nomination. Obviously, it's too late to get it done before the midterms—they're just a few days away. But I do know that if no one fills the seat at the FCC at all, there will be no meaningful change to net neutrality, no push to close the digital divide, no emphasis on creating more competition for broadband access. There will just be a lot of nothing.

I also know that Americans pay more money for slower broadband than just about every other country in the world because we have utterly failed to regulate our ISPs, and that is a big problem.

2/14/23, 10:48 AM Proposed Fines Against Carriers for Data Violations Appear Stalled at Split FCC

Welcome, Jeffrey ▾ Home Previous Issues Bulletins Papers Calendar

Search Tools ... search terms Find ? Recent ...

2212190055 The authoritative news source for communications regulation

Proposed Fines Against Carriers for Data Violations Appear Stalled at Split FCC

20 Dec 2022 by Howard Buskirk 1 of 21 Print · Share · Add to Favorites

NEXT

Fines proposed by FCC Chairwoman Jessica Rosenworcel against the major wireless carriers for allegedly failing to safeguard data on their customers' real-time locations have apparently stalled, according to a document we viewed. Commissioners haven't voted to approve the fines, though fellow Democrat Geoffrey Starks voted yes, the document shows. It confirms that Rosenworcel circulated an order in September (see 2209090028). Public interest groups want action.

In early 2020, then Chairman Ajit Pai proposed notices of apparent liability of more than \$91 million against T-Mobile, \$57 million against AT&T, \$48 million against Verizon and \$12 million against Sprint, which hadn't yet merged with T-Mobile (see 2002280065).

The carriers have been meeting with commissioners' offices "on and off for a while," but no ex parte filings are required for these types of proceedings, said a lawyer who has worked on the issue: "They are arguing the merits and are also probing to see about narrowing the scope, lowering the forfeitures. ... There's a legal theory that Section 222 [of the Communications Act] does not envision giving the FCC power over the privacy aspect of those services; that's the FTC's area of expertise."

"We do hope that the commission will step up because there is a real need for them to be active privacy regulators now as consumers continue to be subject to wide-scale commercial surveillance and the FCC's privacy authority is one of the few areas with significant enforcement potential," Alan Butler, president of the Electronic Privacy Information Center, told us. "Our perspective on it is let's get moving," he said. "This is one initial piece of important enforcement work that needs to get done ... and we think that the FCC has an important role to play, and they really haven't been doing it."

"There is absolutely no reason for any further delay," said Public Knowledge Senior Vice President Harold Feld. "The Republicans voted unanimously at the time. That did not include Commissioner [Nathan] Simington, but it did include Commissioner [Brendan] Carr, so there should be a majority to collect the fines. The information misused by the carriers involved the most sensitive and precise geolocation information, and the carriers sold it to virtually anyone who asked for it."

[Home](#) · [About](#) · [Calendar](#) · [Announcements](#) · [Advertise](#) · [Contact](#) · [Privacy Policy](#) · [User Agreement](#)

Copyright© 2023 by Warren Communications News, Inc. Reproduction or retransmission in any form, without written permission, is a violation of federal law. https://communicationsdaily.com/article/view?search_id=623914&id=1454154

1/2

2/14/23, 10:48 AM Proposed Fines Against Carriers for Data Violations Appear Stalled at Split FCC

Welcome, Jeffrey  [Logout](#) [Previous Issues](#) [17 Bullets](#) [Paper](#) [Please review our User Agreement.](#)

Search Tools  [Recent](#) 

2212190055 The authoritative news source for communications regulation

When the FCC approved the NALs, Rosenworcel and Starks called the response inadequate. The "investigation is a day late and a dollar short," Rosenworcel said then: "The FCC kept consumers in the dark for nearly two years after we learned that wireless carriers were selling our location information to shady middlemen." Simington hadn't joined the FCC. His predecessor, Mike O'Reilly, voted for the NALs but expressed "deep concerns about the investigations, the futility of what's been explored."

"It is unclear why this has been sitting so long," Feld said. "My cynical view is that carriers have pushed commissioners to delay the vote in the hopes that Congress would pass the American Data Privacy Protection Act, which would have eliminated previous enforcement orders and therefore allowed the carriers to avoid the fines," he said: "While [it's] not impossible for ADDPA to pass as part of the end-of-year omnibus [package], it seems extremely unlikely. With luck, whoever has been refusing to vote the item will finally do so and allow carriers to experience consequences for their misuse of personal data."

The proposed fines highlight "the unevenness of how privacy is being handled," emailed Recon Analytics' Roger Entner: "An app on a phone can do what it wants, yet at the same time the very same conduct on a much smaller scale by an operator is being fined. How does this protect consumer's privacy? It does not, and the commission attempts to engage in regulatory arbitrage." The FCC and the companies named didn't comment. The carriers no longer have programs that were the focus of the earlier NALs.

BLOCKING COMPETITION—

ISP ADMITS LYING TO FCC ABOUT SIZE OF NETWORK TO BLOCK FUNDING TO RIVALS

ISP gave FCC false coverage information to prevent others from getting grants.

JON BRODKIN—2/2/2023, 2:06 PM



Ryan Grewell, who runs a small wireless Internet service provider in Ohio, last month received an e-mail that confirmed some of his worst suspicions about cable companies.

Grewell, founder and general manager of *Smart Way Communications*, had heard from some of his customers that the Federal Communications Commission's *new broadband map* falsely claimed fiber Internet service was available at their homes from another company called Jefferson County Cable. Those customer reports spurred Grewell to submit a number of challenges to the FCC in an attempt to correct errors in Smart Way's service area.

One of Grewell's challenges elicited a response from Jefferson County Cable executive Bob Loveridge, who apparently thought Grewell was a resident at the challenged address rather than a competitor.

"You challenged that we do not have service at your residence and indeed we don't today," Loveridge wrote in a January 9 e-mail that Grewell shared with Ars. "With our huge investment in upgrading our service to provide xpon we reported to the BDC [Broadband Data Collection] that we have service at your residence so that they would not allocate addition [sic] broadband expansion money over [the] top of our private investment in our plant."

The e-mail is reminiscent of our *November 2022 article* about a cable company accidentally telling a rival about its plan to block government grants to competitors.

Speaking to Ars in a phone interview, Grewell said, "This cable company happened to just say the quiet part out loud." He called it "a blatant attempt at blocking anyone else from getting funding in an area they intend to serve."

It's not clear when Jefferson County Cable plans to serve the area. Program rules do not allow ISPs to claim future coverage in their map submissions.

Jefferson County Cable ultimately admitted to the FCC that it filed incorrect data and was required to submit a correction. The challenge that the ISP conceded was for an address on State Route 43 in Bergholz, Ohio. The town is not one of the coverage areas listed on Jefferson County Cable's website.

While checking the FCC broadband map today, we confirmed that the address is no longer listed as having Jefferson County Cable service. But that one fix alone wouldn't prevent the company's grant-blocking strategy from working, because the FCC map still lists the company as serving the address right next door and others on the same road.

False data hurts ISPs seeking grants

False broadband data could hurt Smart Way directly because the ISP plans to apply for grants to upgrade its network. There have been over a million challenges submitted to the FCC nationwide, and it's unknown how many mistakes are on the map overall.

The new FCC map is supposed to show exactly which homes and businesses have access to Internet service and what types of service are available at each address. Using that data, the U.S. government and states will decide how to allocate Federal funding to projects that fill in broadband-availability gaps.

But the maps rely on Internet service providers to report where they offer service and are rife with errors that show ISPs claiming to serve more homes than they actually do. Nevada officials said they *found more than 20,000 mistakes* in their state alone. Vermont officials *said* the map is “missing or incorrectly lists the location of over 60,000 broadband-serviceable locations” and “lists service availability levels far beyond what the state has found through its mapping and what we are hearing about from residents.”

If you'd like to submit challenges, you can search for reported broadband availability at specific addresses *here* [<https://broadbandmap.fcc.gov/home#/>] and use that page to file challenges. In addition to the individual submissions, state governments and broadband-focused groups have been submitting bulk challenges.

Grewell said he submitted about a dozen challenges in late November, most of which pertained to addresses purportedly served by Jefferson County Cable. He said he filed the “challenges in areas that I knew there was no fiber-to-the-home whatsoever.”

We haven't received a response to requests for comment from Loveridge or Jefferson County Cable. But Jefferson County Cable withdrew its coverage claim at the one address referenced in Loveridge's e-mail after Grewell's challenge.

“The provider subject to your challenge has conceded the challenge and is required to submit a correction for the challenged location in the online portal within 30 days,” the FCC told Grewell in an e-mail notification on January 12.

Despite that one success, Grewell told us yesterday that he hasn't received responses for any of the other addresses he challenged. The successful challenge at one address also didn't trigger map updates to nearby homes, as previously mentioned.

Jon is Ars Technica's senior IT reporter, covering the FCC and broadband, telecommunications, tech policy, and more.

Senator LUJÁN. We heard extensive testimony on the need for the FCC to craft rules preventing digital discrimination on broadband access. These rules are required by the bipartisan Infrastructure Investments in Job Act, but there is a significant pressure coming in the docket, and some, like the *Wall Street Journal* editorial board, are trying to turn the bipartisan priority into a partisan fight that shouldn't be.

Second, multiple reports have found that ISPs, big and small, provided false data to the FCC's maps in an anti-competitive effort to block rival companies from getting a share of the \$42.5 billion this committee provided for broadband. Third, and finally, before Christmas, in December 2022, internal documents indicated that Chairwoman Rosenworcel proposed fines against major wireless carriers for failing to safeguard data on real time locations.

For most Americans, the FCC is the only cop on the beat protecting them from predatory data practices and ensuring Internet companies provide accurate information. Chairwoman Rosenworcel requires a full Commission to do her job enforcing current law to the fullest extent and to keep these companies accountable.

We have heard from a lot of my colleagues. Now, some have suggested that you are not qualified. I disagree with that. The facts show that these arguments are just a bunch of hot air, coming from a state with the largest international balloon fiesta.

The record shows that Gigi Sohn is a dedicated public servant who is qualified and ready to be confirmed. She will act to uphold the law dutifully and honorably. Unfortunately, though, we are seeing this stalled for way too long.

So, Madam Chair, I want to thank you and the Ranking Member, and all of our colleagues for being here today. Ms. Sohn, for being here at yet again for this important hearing, and I look forward to a vote not just out of this committee, but on the full floor to support your confirmation. Thank you, Madam Chair.

The CHAIR. Thank you. I misspoke earlier, the Chair of the Subcommittee, Chairman Luján. And now if the Ranking Member of the Subcommittee, Senator Thune, would like to make a statement.

**STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

Senator THUNE. Thank you, Madam Chair. I think we have all been down this road before. And I think that Senator Cruz in his opening remarks hit on a number of issues that I think I find disqualifying for the nominee. And I would—we have big differences, I think as perhaps a lot of people here know, when it comes to major policies.

Ms. Sohn is interested in reinstating the Obama era, heavy handed net neutrality rules that were reversed under then FCC Chairman Pai in 2017, rules that I would remind people would regulate the Internet like a public utility under Title II of the 1934 law.

So that in and of itself to me represents a major problem from just a policy standpoint. But I also want to reiterate some of the things that were mentioned by Senator Cruz in his opening remarks.

And that is, I think, Ms. Sohn as an FCC official—you know, we are going to talk about this a little bit later, but the issue of leaking nonpublic, confidential information further speaks to the fact that if confirmed, you are not going to bring the spirit of bipartisanship that present and past Commissioners have demonstrated.

Your long record, I would say a virulent partisanship has raised a number of questions as to whether or not you can serve as an impartial Commissioner, and I think those concerns remain. You have been an outspoken critic, as Senator Cruz pointed out, of conservative media outlets that you would be in charge of regulating. You have supported far left initiatives such as defunding the police.

And you have been hostile, I would add, to broadband companies serving rural areas like those in my home State of South Dakota. So, I would just close by saying that almost all, if not all, individuals in politics have strong convictions, but serious leaders demonstrate the ability to act in a fair and impartial manner.

You have not, and Madam Chair, should this nomination come for a vote before this committee, I urge all my colleagues, for those reasons and many others which I am sure we will get into, to join me in opposing the nominee before us. Thank you.

The CHAIR. Thank you, Senator Thune. Now, we will have an introduction by Ms. Sohn—by Mr. Chad Rupe who is joining us remotely.

He was a Trump Administration official for the Rural Utility Services, Department of Agriculture. He has been a long leader in rural broadband and developing State directors board working group.

So, you are also active in the effort in Wyoming. Thank you very much for joining us.

STATEMENT OF CHAD RUPE, FORMER USDA RURAL UTILITIES SERVICE ADMINISTRATOR, TRUMP ADMINISTRATION

Mr. RUPE. Good morning, Chairman Cantwell, and Ranking Member Cruz, and members of the Committee. My name is Chad Rupe. I am currently the General Manager of Ponderosa Communications. And as the Chairwoman mentioned, I am also the Former Administrator for the RUS under the Trump Administration, and a former State Broadband Program Manager from Montana.

I am here today, however, in my capacity as a friend of Gigi Sohn, and it is truly an honor for me to come before the Committee to introduce her to you and to register my strong support for Gigi to be the next Commissioner of the Federal Communications Commission.

During my time as the USDA Rural Development State Director for Wyoming and as the Administrator for RUS, I led the Trump Administration's efforts to get broadband to our rural communities, including through the Reconnect Broadband Program and implementation of the 2018 Farm Bill.

It was as a State Broadband Program Manager for Montana that I got to know Gigi and see how she approaches challenges like bringing broadband to rural America. I saw that Gigi was deeply passionate about the importance of working to close the digital divide for all of our communities. I saw that she understands the term rural means much more than a destination given to an area based on population. She knows that each one is unique and presents varying challenges to connectivity.

Importantly, I saw that she firmly believes that these are not partisan issues, so when we make them partisan, we fail to serve the folks in those rural communities who are just looking to ensure their families are able to enjoy the many benefits that come from broadband connectivity.

For the past 5 years, Gigi has worked closely with State broadband leaders from states as different as Vermont, Nebraska, and Louisiana, providing them with counsel and connections with Federal broadband leaders. In her previous two confirmation hearings, Gigi pledged to be the FCC's State liaison, and I have no doubt she will keep that promise.

Such a role is critical now that the states have primary responsibility for ensuring that the billions of dollars provided in the bipartisan infrastructure law is well spent. The FCC's work has been crucial to ensuring that the economic, health, and educational benefits that flow over broadband are reaching all of our communities.

More work needs to be done for sure, and Congress has taken an all of Government approach to moving that great work forward. And the role of the FCC in those efforts is as crucial as it has ever been.

Gigi will be a great addition to the Commission as it seeks to fulfill the charge that Congress has passed it with performing. And in closing, I would say to this committee that I was proud to learn that there are over 400 organizations and leaders that agree with me, Gigi will be a great Commissioner. They include Republican and Democratic State and local legislators, business leaders, consumer advocates, and over 350,000 citizens.

Gigi is a dedicated public servant and a strong voice for consumers and a hard worker who will bring her 35 years of work, elevating the public's interest to the portfolio of work before the Commission. I urge this committee and the Senate to swiftly confirm her to this post.

Thank you, Madam Chairwoman.

[The prepared statement of Mr. Rupe follows:]

PREPARED STATEMENT OF CHAD RUPE, FORMER USDA RURAL UTILITIES SERVICE
ADMINISTRATOR, TRUMP ADMINISTRATION

REMARKS INTRODUCING GIGI SOHN

[VIDEO]

Chad Rupe: Good morning, Chairwoman Cantwell and Ranking Member Cruz, members of the committee.

My name is Chad Rupe and I'm currently the General Manager at Ponderosa Communications, and as the Chairwoman mentioned, I'm also the former administrator for the RUS (Rural Utilities Service) under the Trump administration, and the former State Broadband Program Manager for Montana.

I'm here today, however, in my capacity as a friend of Gigi. It's truly an honor for me to come before the committee to introduce her to you and to register my strong support for Gigi to be the next commissioner of the Federal Communications Commission.

During my time as the USDA Rural Development State Director for Wyoming, and as the Administrator for RUS, I lead the Trump administration's efforts to get broadband to our rural communities, including through the Reconnect Broadband Program and implementation of the 2018 Farm Bill.

It was as the State Broadband Program Manager for Montana that I got to know Gigi and see how she approaches challenges like bringing broadband to rural America.

I saw that Gigi was deeply passionate about the importance of working to close the digital divide for all of our communities. I saw that she understands the term rural means much more than a designation given to an area based on population.

She knows that each one is unique and presents varying challenges to connectivity.

Importantly, I saw that she firmly believes that these are not partisan issues. And when we make them partisan, we fail to serve the folks in those rural communities who are just looking to ensure their families are able to enjoy the many benefits that come from broadband connectivity.

For the past five years, Gigi has worked closely with state broadband leaders from states as different as Vermont, Nebraska, and Louisiana, providing them with counsel and connections with Federal broadband leaders.

In our previous two confirmation hearings, Gigi pledged to be the FCC state liaison. And I have no doubt she will keep that promise. Such a role is critical now that the states have primary responsibility for ensuring that the billions of dollars provided in the Bipartisan Infrastructure Law is well spent.

The FCC's work has been crucial to ensuring that the economic health and educational benefits that flow over broadband are reaching all of our communities.

More work needs to be done for sure, and Congress has taken an 'all of government' approach to moving that great work forward. And the role of the FCC in those efforts is as crucial as it has ever been.

Gigi will be a great addition to the Commission as it seeks to fulfill the charge that Congress has tasked with performing.

And in closing, I would say to this committee that I was proud to learn that there are over 400 organizations and leaders that agree with me. Gigi will be a great

Commissioner. They include Republican and Democratic state and local legislators, business leaders, consumer advocates, and over 350,000 citizens.

Gigi is a dedicated public servant and a strong voice for consumers and a hard worker who will bring her 35 years of work elevating the public's interest to the portfolio of work before the commission.

I urge this committee and the Senate to swiftly confirm her to this post. Thank you, Madam Chairwoman.

Sen. Cantwell: Thank you, Mr. Rupe. Just one question for you, are those the Tetons behind you?

Chad Rupe: That is Yosemite, actually, Chairwoman. Ponderosa Communications is proud to serve about 10,000 telephone and broadband subscribers in California, in the Sierra Nevadas as well as rural communities in Arizona.

So fortunately, it's a great family-owned rural business that's been in operation since 1908. So, we're very proud to serve these rural areas.

Sen. Cantwell: Thank you. It definitely is going to be a very big focus of this committee to make sure that we get broadband expansion in rural communities. So I'm sure we'll hear a lot about that today.

The CHAIR. Thank you, Mr. Rupe. Just one question for you. Are those the Tetons behind you?

Mr. RUPE. That is Yosemite, actually, Chairwoman. Ponderosa Communications is proud to serve about 10,000 telephone and broadband subscribers in California, in the Sierra Nevada, as well as in rural communities in Arizona. So fortunately, it is a great family owned rural business that has been in operation since 1908, so we are very proud to serve these rural areas.

The CHAIR. Thank you. It definitely is going to be a very big focus of this committee is to make sure that we get broadband expansion in rural communities, so I am sure we will hear a lot about that today.

Ms. Sohn, welcome. If you want to introduce any family members, but you are welcomed to make an opening statement.

STATEMENT OF GIGI B. SOHN, NOMINEE TO BE A COMMISSIONER, FEDERAL COMMUNICATIONS COMMISSION

Ms. SOHN. Thank you, Chairwoman Cantwell. And good morning, Ranking Member Cruz, and members of the Committee. Today I am joined by my wife, Lara, our daughter Yosselin, and my brother, Adam. I want to acknowledge my mother, Roma, who can't be here today. People who know her say that I get my determination and fortitude from her.

Since there are several new committee members, let me introduce myself. I grew up with three brothers in a middle-class household on Long Island—I still say Longiland. My father was an Accountant for the Grumman Corporation and my mother was one of the first Physician Assistants certified in New York State.

My formative years were filled with sports and music, including cheering for my beloved Mets and Jets. A broadcasting law course of my sophomore year at Boston University changed my life. I was fascinated with the power of communications networks to inform public discourse and promote democratic values.

I was awakened to the important role Government can play in ensuring that all voices are heard. After law school and private practice, I started what has been a nearly 35-year career as a public interest lawyer, advocating for policies that ensure that modern communications networks are available to everyone, regardless of who they are or where they live.

For the past two decades, I have worked toward the goal of ensuring that every U.S. household has robust and affordable broadband Internet access. From 2013 to 2016, I was privileged to serve as counselor to then FCC Chairman Tom Wheeler, where I gained the invaluable experience of working inside the agency and learning the different tools needed to be an effective policymaker.

Today, at my third confirmation hearing, 15 months after I was nominated, I would like to answer a question that I know is on the minds of many on the dais and in this room: why am I still President Biden's nominee for the fifth seat in the FCC? There are four reasons.

First, I care deeply about the mission of the FCC and have dedicated my entire career to that mission, ensuring that everyone, regardless of income level, race, gender, sexual orientation, or where they live, has access to affordable and robust communications networks so they can be full participants in our economy, our education and health care systems, our culture, and our democracy.

I have accomplished a great deal as a public advocate, but after I left the FCC, I knew I wanted to 1 day return as a public servant to continue this important work. Second, I believe it is critical for at least one member of the FCC to be a consumer advocate who has spent a career not beholden to any interests but those of the public.

I have certainly worked with industry toward common goals, and many in the industry are among the over 400 groups that support my confirmation. But my roots and my heart are with everyday Americans the FCC by law is tasked to serve.

Third, I am extremely well qualified. Even those who oppose my confirmation agree that I have a deep knowledge of the issues before the FCC, and thanks to my time working at the agency, I know how it operates. I am proud of my bipartisan network that includes pretty much every FCC stakeholder, including State and local officials, tribal leaders, industry, academia, public interest, public safety, civil rights, and the disability community.

I know everybody and they know me. They also know, regardless of whether we agree on policy, that I am a straight shooter who will listen, try to find common ground, and take their equities into account.

Last, I believe deeply that regulated entities should not choose their regulator. Unfortunately, that is the exact intent of the past 15 months of false and misleading attacks on my record and of my character.

My industry opponents have hidden behind dark money groups and surrogates because they fear a pragmatic, pro-competition, pro-consumer policymaker who will support policies that will bring more, faster, and lower priced broadband and new voices to your constituents. The FCC has been without a majority for the entirety of the Biden Administration, over 2 years, at a time when closing the digital divide is front and center.

There are too many important issues in front of the Commission to lack a full complement of members, including improving the broadband maps, fixing the Universal Service Fund, closing the homework gap, ensuring fair access to broadband, and protecting consumers' privacy.

Americans deserve a full FCC where I could play a critical role in addressing every one of these, but time is of the essence. In closing, I want to give my heartfelt thanks to President Biden for his belief in me, to Chairwoman Cantwell and her staff for their constant support, and to the other committee members and their staffs who have worked so hard on my behalf and on behalf of the American people.

If I am confirmed, I look forward to working with all the members of the Committee, as well as the sitting Commissioners, to achieve universal connectivity in the United States. Thank you, and I look forward to your questions.

[The prepared statement and biographical information of Ms. Sohn follow:]

PREPARED STATEMENT OF GIGI B. SOHN, NOMINEE TO SERVE AS COMMISSIONER,
FEDERAL COMMUNICATIONS COMMISSION

Good morning, Chairwoman Cantwell, Ranking Member Cruz, and members of the Committee.

Today I am joined by my wife, Lara, our daughter Yosselin, and my brother Adam. I want to acknowledge my mother, Roma, who can't be here today. People who know her would say that I get my determination and fortitude from her.

Since there are several new Committee members, let me introduce myself. I grew up with three brothers in a middle-class household on Long Island. My father was an accountant for the Grumman Corporation and my mother was one of the first Physician Assistants certified in New York State. My formative years were filled with sports and music, including cheering for my beloved Mets and Jets.

A Broadcasting Law course in my sophomore year at Boston University changed my life. I was fascinated with the power of communications networks to inform public discourse and promote democratic values and was awakened to the important role government can play in ensuring that all voices are heard.

After law school and private practice, I started what has been a nearly 35-year career as a public interest lawyer advocating for policies that ensure that modern communications networks are available to everyone, regardless of who they are or where they live. For the past two decades, I have worked towards the goal of ensuring that every U.S. household has robust and affordable broadband Internet access.

From 2013 to 2016, I was privileged to serve as Counselor to then-FCC Chairman Tom Wheeler, where I gained the invaluable experience of working inside the agency and learning the different tools needed to be an effective policymaker.

Today, at my 3rd confirmation hearing, 15 months after I was nominated, I'd like to answer a question that I know is on the minds of many on the dais and in this room: Why am I still President Biden's nominee for the 5th seat on the FCC?

There are four reasons. First, I care deeply about the mission of the FCC and have dedicated my entire career to that mission—ensuring that everyone, regardless of income level, race, gender, sexual orientation, or where they live—has access to affordable and robust communications networks so they can be full participants in our economy, our education and health care systems, our culture, and our democracy. I've accomplished a great deal as a public advocate, but after I left the FCC, I knew I wanted to one day return as a public servant to continue this important work.

Second, I believe it is critical for at least one member of the FCC to be a consumer advocate who has spent a career not beholden to any interest but that of the public. I've certainly worked with industry towards common goals and many in industry are among the over 400 groups that support my confirmation, but my roots and my heart are with the everyday Americans the FCC by law is tasked to serve.

Third, I am extremely well qualified. Even those who oppose my confirmation agree that I have a deep knowledge of the issues before the FCC and thanks to my time working at the agency, I know how it operates. I am proud of my bipartisan network that includes pretty much every FCC stakeholder, including state, local and tribal officials, industry, academia, public interest, public safety, civil rights, and the disability community. I know everybody and they know me. They also know, regardless of whether we agree on policy, that I'm a straight shooter who will listen, try to find common ground, and take their equities into account.

Lastly, I believe deeply that regulated entities should not choose their regulator. Unfortunately, that is the exact intent of the past 15 months of false and misleading attacks on my record and my character. My industry opponents have hidden behind dark money groups and surrogates because they fear a pragmatic, pro-competition, pro-consumer policymaker who will support policies that will bring more, faster, and lower-priced broadband and new voices to your constituents.

The FCC has been without a majority for the entirety of the Biden Administration—over two years—at a time when closing the digital divide is front and center. There are too many important issues in front of the Commission to lack a full complement of members, including improving the broadband maps, fixing the Universal Service Fund, closing the Homework Gap, ensuring fair access to broadband, and protecting consumers' privacy. Americans deserve a full FCC where I could play a critical role in addressing every one of these, but time is of the essence.

In closing, I want to give my heartfelt thanks to President Biden for his belief in me, to Chairwoman Cantwell and her staff for their constant support and to the other Committee members and their staffs who have worked so hard on my behalf and on behalf of the American people. If I am confirmed, I look forward to working with all the Members of the Committee as well as the sitting Commissioners to achieve universal connectivity in the United States. Thank you.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Gigi Beth Sohn.
2. Position to which nominated: Commissioner, Federal Communications Commission.
3. Date of Nomination: January 3, 2023.
4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Information not provided.
5. Date and Place of Birth: August 2, 1961; Rockville Centre, NY.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Lara Ann Ballard, Privacy and Intelligence Oversight Officer, Privacy and Intelligence Oversight Branch, Office of Intelligence & Analysis, U.S. Department of Homeland Security

Child: Yosselin Maxima Violet Sohn, 18
7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

College: Boston University, September 1979–May 1983. Graduated with a B.S. in Broadcasting and Film, *Summa Cum Laude*

Law School: University of Pennsylvania Carey School of Law, September 1983–May 1986. Graduated with a Juris Doctor.
8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Secondary Mortgage Company, Boston Massachusetts
Clerk, Summer 1983

Boston Colonial Theater, Boston Massachusetts
Bartender, Summer 1983

Quincy Market Engraving Station, Boston Massachusetts
Retail Clerk/Engraver, Summer 1983

DC Court of Appeals, Washington, DC
Law Clerk, Summer 1984

Zuckert, Scoutt & Rasenberger, Washington, DC
Summer Associate, Summer 1985

Associate, September 1986–August 1988

Tomar, Parks, Seliger, Simonoff & Adourian, Haddonfield, New Jersey (now defunct)
Law Clerk, School Year 1985

University of Pennsylvania Law School Civil Practice Clinic, Philadelphia, PA
 Law Clerk, Summer 1986

*Media Access Project, Washington, DC (Management-level)**
 Executive Director, September 1996 to March 1999
 Deputy Director, November 1990 to August 1996
 Staff Attorney, September 1988 to October 1990

*Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY**
 Adjunct Professor, January 2001 to May 2001

*Ford Foundation, New York, NY**
 Project Specialist, August 2000 to January 2001
 Consultant, May 1999 to July 2000

*Public Knowledge, Washington, DC (Management-level)**
 Co-Founder, President & Chief Executive Officer, August 2001 to October 2013
*Georgetown University, Washington, DC**
 Adjunct Professor, Fall 2002

*Federal Communications Commission, Washington, DC (Management-level)**
 Counselor to the Chairman, March 2015 to December 2016
 Special Counsel for External Affairs, November 2013 to February 2015

*Self-Employed, Washington, DC (see Fellowships below)**
 January 2017 to present

*Institute for Technology Law & Policy at Georgetown Law, Washington, DC**
(Management-level)
 Distinguished Fellow, April 2017 to present

*Benton Institute for Broadband and Society, Chicago, IL**
 Senior Fellow and Public Advocate, October 2017 to present

*Open Society Foundations, New York, NY**
 Leadership in Government Fellow, January 2017–January 2018

*Mozilla Foundation, San Francisco, CA**
 Fellow, February 2017–November 2018

*Indicates a job that relates to the position for which I am nominated.

9. Attach a copy of your résumé.

Attached (Attachment A).

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.

University of Colorado School of Law, Silicon Flatirons Center for Law, Technology & Entrepreneurship
 Senior Adjunct Fellow, March 2008 to October 2013

Center for Copyright Information
 Member, Advisory Board, September 2011 to October 2013

Open Markets Institute
 Member, Advisory Board, March 2020 to October 2021

Engelberg Center on Law & Innovation Policy, NYU Law School
 Member, Advisory Board, November 2019 to present

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.

Electronic Frontier Foundation (EFF)
 Board Member, December 2018 to present

Sports Fans Coalition NY, Inc.
 Board Member, March 2020 to May 2022

Broadband Internet Technical Advisory Group (BITAG)
 Co-Chair, December 2011 to October 2013
 Member, Board of Directors, December 2010 to October 2013
Telecommunications Policy Research Conference (TPRC)
 Member, Board of Directors, November 2006 to December 2012
 Board Treasurer, January 2010–December 2012

12. Please list each membership you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent, or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or

membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

- University of the District of Columbia Firebirds Tennis Club: 2021 to present
 - Dues paying member
- Palisades Swim and Tennis Club, Cabin John, MD: 2014 to present
 - Bond Holder: January 2023 to present
 - Dues paying member: 2014 to December 2022
- Confidence During Kaos (CDK) Krav Maga, Chevy Chase, MD: 2017–July 2021
 - Dues paying member
- Circle Yoga, Washington, DC: 2011–June 2021
 - Dues paying member
- Democratic Party, Washington, DC: 2011 to present
 - Member by party affiliation
- DC Bar, Washington, DC: 2011 to present
 - Dues paying member
 - Member, DC Bar Board of Governors: 1997–2000
- Federal Communications Bar Association, Washington, DC: 2011 to present
 - Dues paying member
 - Served on nominations Committee
 - Served as a featured speaker and mentor at many FCBA events
- Ben Murch Home and School Association, Washington, DC: 2011–2016
 - Dues paying member
- Alice Deal Community Association, Washington, DC: 2016–2019
 - Dues paying member
- National Museum of African-American History and Culture, Washington, DC: 2016 to present
 - Charter member/Director's Circle Member
- Friends of the National Zoo, Washington, DC: 2011–2020
 - Dues paying member
- Smithsonian National Zoological Park: 2022 to present
 - Dues paying member
- Politics & Prose, Washington, DC: est. 2012 to present
 - Dues paying member
- Electronic Frontier Foundation, San Francisco, CA: 2017 to present
 - Board Member
 - Dues paying member
- National Museum of the American Indian, Washington, DC: est. 2014–2018
 - Dues paying member
- WAMU: 88.5 FM, Washington, DC: 2011 to present
 - Dues paying sustaining member
- WWOZ New Orleans 90.7, New Orleans, LA: 2016 to present
 - Dues paying sustaining member
- Consumer Reports, Yonkers, NY: 2017 to present
 - Dues paying member
- National LGBTQ Task Force, Washington, DC: est. 2013–2018
 - Dues paying member
- Human Rights Campaign: 2022 to present
 - Dues paying member
- District of Columbia LGBT+ Law Association (GAYLAW): 1994–2000
 - Dues paying member
 - President (1994–1997)
- Washington Women's Rugby Football Club: 1987–1992
 - Dues Paying Member
 - President (1989–1992)
- University of Pennsylvania Women's Rugby Football Club: 1984–86
 - Dues Paying Member
- Boston University Women's Rugby Football Club: 1980–1983
 - Dues Paying Member

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

I have never been a candidate for nor held a public office.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

I am a member of the Democratic party but have never held any position, paid or otherwise, in the party.

I served as a policy volunteer for the Biden-Harris Campaign from July 2020–November 2020 and as a policy volunteer for the Obama-Biden Campaign from May 2008–November 2008.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

Luke Wright (2022): \$200.00
 Matt Cartwright (2022): \$200.00
 Phil Weiser (2018–2022): \$1600.00
 Warnock for Georgia (2022): \$725.00
 Mandela Barnes (2022): \$250.00
 David Segal for Congress (2022): \$350.00
 Sean Meloy for Congress (2022): \$350.00
 Biden for President (2020): \$2985.69
 Biden Victory Fund (2020): \$1885.69
 Warren for President (2020): \$1418.30
 Kamala Harris for the People (2020): \$350.00
 Andy Kim for Congress (2018–2020): \$350.00
 Sharice for Congress (2018): \$250.00
 Jesse Colvin for Congress (2018): \$250.00
 Movement Voter PAC (2020): \$250.00
 Sara Gideon for Maine (2020): \$350.00
 Cory 2020 (2019): \$350.00
 Dallas Harris (2019): \$250.00
 Stacey Abrams (2018): \$200.00
 Andrew Gillum (2018): \$200.00
 Beto for Texas (2018): \$450.00
 Quentin Palfrey (2017–2018): \$400.00
 Booker Senate Victory/Cory Booker for Senate (2017): \$500
 Hillary for America (2016): \$1055.56
 Hillary Victory Fund (2016): \$805.56
 The Markey Committee (2013–2019): \$1600
 Al Franken for Senate 2014: \$500
 Tammy Baldwin For Senate (2012–2018): \$1000
 Obama For America (2012): \$2750
 Obama Victory Fund (2012): \$1750

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Fellowships

Distinguished Fellow, Georgetown Law Institute for Technology Law & Policy

Distinguished Fellow, April 2017 to present

Senior Fellow and Public Advocate, Benton Institute for Broadband & Society

Senior Fellow and Public Advocate, October 2017 to present

Mozilla Fellow

Fellow, February 2017–November 2018

Open Society Foundations Leadership in Government Fellow
 Leadership in Government Fellow, January 2017–January 2018
University of Colorado School of Law, Silicon Flatirons Center for Law, Technology & Entrepreneurship
 Senior Adjunct Fellow, March 2008 to October 2013
University of Southern California—Annenberg Center
 Non-resident Fellow, October 2006 to January 2008
University of Melbourne Faculty of Law, Graduate Studies Program, Melbourne, VIC
 Senior Fellow, June 2000

Honors

Washingtonian “Washington’s Most Influential People” (March 2021)
 National Journal “NJ 50: 50 people changing the game in Washington” (November 2019)
 Office of Communication of the United Church of Christ, Everett C. Parker Award (October 2018)
 Coalition for Local Internet Choice “National Champion for Local Internet Choice” Award (October 2016)
 One Community “Broadband Hero” Award (September 2014)
 The Hill: Top Lobbyists (2012 & 2013)
Non-Profit Times “Power & Influence Top 50.” (August 2011)
 Electronic Frontier Foundation Pioneer Award (May 2006)
 Gay and Lesbian Attorneys of Washington (GAYLAW) Distinguished Community Service Award (December 1997)
American Lawyer Magazine’s “The Public Sector 45: Forty-five Young Lawyers Outside the Private Sector Whose Vision and Commitment are Changing Lives” (January/February 1997)
National Law Journal’s “40 Young Attorneys Who Are Making Their Mark” (November 1995)

17. List each book, article, column, letter to the editor, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

Over my nearly 35-year career, I have authored dozens of virtual and non-virtual content for a variety of publications. In an effort to provide as comprehensive list as possible, I have included the publications that I submitted with my questionnaire in January 2022, engaged in multiple Internet searches using my name and key words (e.g., FCC, Public Knowledge, Media Access Project, broadband, net neutrality, media, broadcast, cable, telephone, authority, Title II), and pulled both from my *website* and reports I prepared for my funders. I have not published anything since I was nominated on October 26, 2021. The list is attached (Attachment B).

18. List all speeches, panel discussions, and presentations (e.g., PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

Over my nearly 35-year career, I have spoken at scores of conferences on topics relevant to the position for which I have been nominated. In an effort to provide as comprehensive a list as possible, I have engaged in multiple Internet searches and an advanced search employing *Meltwater* media intelligence software, LexisNexis and TVEyes, using my name and key words (e.g., conference, panel, FCC, Public Knowledge, Media Access Project, broadband, net neutrality, media, broadcast, cable, telephone, authority, Title II. I also pulled data from searches of conferences drawn from my memory and reports I prepared for funders. The list is attached (Attachment C).

19. List all public statements you have made during the past ten years, including statements in news articles and radio and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

Over the past ten years my statements have appeared in hundreds of news articles in both virtual and non-virtual news media and I have appeared on many national and local television and radio programs. In an effort to provide as comprehensive a list as possible, I have engaged in both multiple Internet searches and an

advance search employing *Meltwater* media intelligence software using my name and key words (e.g., FCC, Public Knowledge, broadband, net neutrality, media, broadcast, cable, telephone, authority, Title II). I also conducted searches on TVEyes, Archive.org, C-SPAN archives, PBS News, Bloomberg TV, and the American Archive of Public Broadcasting, as well as searches of my name and media outlets drawn from my memory. I have also pulled from reports I prepared for funders and from *my website*, which has nearly every media appearance and public statement I made from 2017 to present. Other than my two confirmation hearings, I have not made any public statements since October 27, 2021. The list is attached (Attachment D).

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

My website, which includes most of the news stories in which I'm quoted, as well as most of my speeches, testimony and press statements from 2017 to present can be found at <http://gigisohn.com/>

All the episodes of my “Tech on the Rocks” podcast are [here](#).

My current Twitter handle is @gigisohn and my tweets can be found at <https://twitter.com/gigisohn>. I have not tweeted anything since October 26, 2021. When I worked at the FCC from 2013–2016, my Twitter handle was: @gigisohnFCC and the url is <https://twitter.com/GigiBSohnFCC>. The FCC account has been dormant/inactive since the day I left the agency in 2016 and Twitter currently says that “This account does not exist.”

My Facebook page can be found at <https://www.facebook.com/gigi.b.sohn>

My LinkedIn page can be found at <https://www.linkedin.com/in/gigisohn/>

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

List of testimony attached (Attachment E).

22. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I have spent nearly my entire career as an advocate for universal and affordable access to open and democratic communications networks, be they broadcast, cable, telephone, or broadband. That is the exact statutory mission of the FCC—to ensure that everyone in the U.S. has access to and can use the networks that are central to an informed democracy, a strong economy, and an open society. That goal is more important today than it has ever been, as access to broadband is essential to full participation in our society and our economy and our education and health care systems.

In addition to my substantive knowledge, I co-founded and built the non-profit organization Public Knowledge, and successfully managed it for 12 years. I left the organization in strong financial and managerial health, and it will celebrate its 22nd anniversary this year. During my tenure as Counselor to former Chairman Wheeler, I became intimately familiar with the inner workings of the FCC. I worked with nearly every Bureau and Office, including all of the other Commissioners' offices, the Managing Director's office, and other technical and administrative offices.

Finally, over the past nearly 35 years, I have built a network of colleagues, friends, and advisors from across industries and sectors, including philanthropy, academia, the public interest community, and federal, state, and local policymakers. This network will be critical to addressing what I believe is the FCC's biggest challenge—ensuring that every household in the U.S. has affordable and robust broadband Internet access.

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

As a member of the FCC, I believe that I would have a duty to ensure that the agency has proper management and accounting controls. I was the President and CEO of the non-profit Public Knowledge for 12 years, and while it was not a large organization, it had its own challenges regarding management and accounting, albeit on a smaller scale. I was a CEO that hired a strong executive team but took ultimate responsibility for the finances and management of the organization.

24. What do you believe to be the top three challenges facing the department/agency, and why?

- I believe that the FCC's top challenge is ensuring that every household in the U.S. has affordable and robust broadband Internet access. Tens of millions of people in the U.S. lack affordable and robust broadband Internet, and such connectivity is essential to ensure full participation in our society, our economy, our education and health care systems and our civic life. Thanks to Congress, the FCC's job was made a bit easier when it provided over \$45 billion for broadband deployment and another \$14.2 billion for the Affordable Connectivity Program, which helps low-income families to pay for broadband service. But the success of the deployment program (BEAD) depends on the FCC developing accurate maps of where broadband can and is being delivered to American households. And even when the BEAD money is spent, there will still be carriers in the most rural parts of America that will need operating funds. Thus, the FCC (with Congress' help) must find ways to keep the Universal Service Fund healthy. Not only does the Fund support carriers in high-cost areas and low-income households, it also provides the funding for essential broadband in rural health care facilities and K-12 schools. Achieving the goal of universal and affordable broadband Internet access will take an "all-hands-on-deck" approach, with the Federal government, states, rural and urban communities, the philanthropic sector, and industry working together to build and execute a blueprint for universal broadband. The FCC must be a leader in building and executing this blueprint.
- Another major challenge for the FCC is ensuring that our communications networks are resilient, secure, and protective of user privacy. There have been too many instances over the past several years of networks failing, often for long periods of time, as a result of major natural disasters, which are becoming increasingly common. The FCC's June 27, 2022 order adopted measures that will lead to greater reliability and resiliency for mobile wireless networks during natural disasters and other emergencies. This is a great first step. The FCC must hold all network operators to high standards of resiliency to ensure that people can stay connected when it is a matter of life and death. In addition, the FCC must ensure that our networks are safe from malevolent actors here and abroad. Just this month, a major wireless carrier announced that a hacker was able to obtain personal data, including names, birthdates, and phone numbers from 37 million customers. While the data breach notification rules the FCC recently proposed are strong and necessary, the FCC must ensure that such breaches rarely occur, if ever. The interconnected broadband networks that underpin our digital economy are among our most vulnerable attack conduits. Thus, the FCC must ensure that cybersecurity is an essential duty for network providers. This means developing an oversight regime that requires network providers to determine best practices, subject to regulatory oversight.
- A third major challenge for the FCC is developing spectrum policy with its Federal government colleagues that will balance making significant amounts of spectrum for 5G mobile broadband service (and making that spectrum available to a wide variety of users) with also making significant amounts of spectrum available for innovative unlicensed uses. Sound spectrum policy is only possible with close coordination between the FCC and other government agencies, including state and local governments, which are critical to lowering barriers to deployment of 5G and wireline broadband infrastructure.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the Federal Communication Commission's Designated Agency Ethics Official to identify potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Commission's Designated Agency Ethics Official. I am not aware of any other potential conflicts of interest.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the Federal Communication Commission's Designated Agency Ethics Official to identify potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Commission's Designated Agency Ethics Official. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the Federal Communication Commission's Designated Agency Ethics Official to identify potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Commission's Designated Agency Ethics Official. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the Federal Communication Commission's Designated Agency Ethics Official to identify potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Commission's Designated Agency Ethics Official. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

During the past ten years, both in my capacity as President and CEO of Public Knowledge, in my current and previous Fellowship positions and in my personal capacity I have influenced the passage, defeat and modification of legislation and affected the administration and execution of law and public policy. This includes proposed and adopted laws and policies affecting communications, competition and technology law and policy. I have been asked for advice and guidance by Hill and agency staff, have been asked to testify numerous times, have written, spoken, and appeared in media about such proposed laws and policies.

I have not represented any clients in these matters.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name of court, agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes. In 2014 a former employee of Public Knowledge who was terminated for poor performance, refusal to abide by the terms of a Performance Improvement Plan, and insubordination, filed an age discrimination complaint against the organization with the DC Office of Human Rights. The Office dismissed the complaint as without merit.

In addition, Sports Fans Coalition NY, Inc. (SFCNY), a non-profit corporation which I served as a board member from March 2020 to May 2022, had a service (Locast) that operated under a statutory copyright exemption for non-profits (17 USC 111(a)(5)). In 2019 an action was brought against SFCNY by four broadcast networks in the District Court for the Southern District of New York. On August 31, 2021, the District Court determined that the exemption did not apply and Locast ceased providing service immediately thereafter. The matter was settled and the District Court entered a final satisfaction of judgment on February 15, 2022. I resigned from the SFCNY board on May 9, 2022.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

I have never been so accused in my personal capacity. However, in 2014 a former employee of Public Knowledge who was terminated for poor performance, refusal to abide by the terms of a Performance Improvement Plan, and insubordination, filed an age discrimination complaint against the organization with the DC Office of Human Rights. The Office dismissed the complaint as without merit.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

ATTACHMENT A

RÉSUMÉ OF GIGI B. SOHN

EXPERIENCE

Institute for Technology Law & Policy at Georgetown Law, Washington, DC
Distinguished Fellow, April 2017 to present

Benton Institute for Broadband and Society, Chicago, IL
Senior Fellow and Public Advocate, October 2017 to present

- Engage in public education, outreach, coalition building and advocacy to preserve policies that have made broadband Internet access more ubiquitous, competitive, affordable, open and protective of user privacy.
- Provide strategic and policy advice to public interest advocates, industry policy-makers and philanthropies.
- Frequent public speaker and guest on radio, television and podcasts on communications, media and technology law and policy.
- Host of “Tech on the Rocks” podcast, which focuses on communications, media and technology policy and its impact on Americans.

Open Society Foundations, New York, NY
Leadership in Government Fellow, January 2017–January 2018

Mozilla Foundation, San Francisco, CA
Fellow, February 2017–November 2018

Federal Communications Commission, Washington, DC
Counselor to the Chairman, March 2015 to December 2016
Special Counsel for External Affairs, November 2013 to February 2015

- Chief liaison to public interest, academic and industry stakeholders for Federal agency that regulates communications networks.
- Advised Chairman Tom Wheeler on a wide variety of communications policy issues, including net neutrality, municipal broadband, universal service programs, tribal broadband, privacy and consumer protection.
- Keynote speaker at 20+ conferences and events annually representing the Chairman.
- Conducted outreach to press and public through various means, including social media.

Public Knowledge, Washington, DC
President & Chief Executive Officer, August 2001 to October 2013

- Co-Founder and Chief Executive Officer of public interest organization focusing on the consumer and civic dimensions of the Internet, digital technologies and intellectual property.
- Testified before Congressional Commerce and Judiciary Committees.
- Managed and supervised 20–25 employees, up to 6 law clerks and 3 program consultants.
- Frequent guest on national and local radio and television and a speaker at dozens of conferences and seminars annually.

University of Colorado School of Law, Silicon Flatirons Center for Law, Technology & Entrepreneurship
Senior Adjunct Fellow, March 2008 to October 2013

University of Southern California—Annenberg Center
Non-resident Fellow, October 2006 to January 2008

Georgetown University, Washington, DC
Adjunct Professor, Fall 2002

Ford Foundation, New York, NY
Project Specialist, August 2000 to January 2001
Consultant, May 1999 to July 2000

- Developed strategic vision for new funding program in media policy and technology.
- Developed and negotiated grants totaling \$6,000,000 in FY99–01.

Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY
Adjunct Professor, January 2001 to May 2001

University of Melbourne Faculty of Law, Graduate Studies Program, Melbourne, VIC
Senior Fellow, June 2000

Media Access Project, Washington, DC
Executive Director, September 1996 to March 2000
Deputy Director, November 1990 to August 1996
Staff Attorney, September 1988 to October 1990

- Served as chief executive of public interest communications law firm.
- Litigated mass media, new technology and First Amendment issues before the Federal Communications Commission, Federal Courts and the United States Supreme Court.

Zuckert, Scott & Rasenberger, Washington, DC
Associate, September 1986 to August 1988

PROFESSIONAL APPOINTMENTS AND ACTIVITIES (partial listing)

Open Markets Institute
Advisory Board Member, January 2020 to October 2021

Electronic Frontier Foundation (EFF)
Board Member, December 2018 to present

Biden-Harris Campaign
Policy Volunteer, July 2020 to November 2020

Sports Fans Coalition NY, Inc.
Board Member, March 2020 to May 2022

Broadband Internet Technical Advisory Group (BITAG)
Co-Chair, December 2011 to October 2013

Member, Board of Directors, December 2010 to October 2013

Center for Copyright Information

Member, Advisory Board, September 2011 to October 2013

Obama-Biden Campaign

Policy Volunteer, May 2008–November 2008

Advisory Committee on the Public Interest Obligations of Digital Television Broadcasters, Washington, DC (“Gore Commission”)

Member, October 1997 to December 1998

District of Columbia Bar Board of Governors, Washington, DC

Member, June 1997 to June 2000 (first openly LGBTQ+ lawyer elected to the DC Bar Board of Governors)

District of Columbia Bar Task Force on Sexual Orientation and the Legal Workplace

Member, February 1996–March 1999

Gay and Lesbian Attorneys of Washington (GAYLAW)

President, October 1994–September 1997

EDUCATION

University of Pennsylvania Carey Law School, Philadelphia, PA
Juris Doctor, May 1986

Boston University College of Communication, Boston, MA

Bachelor of Science in Broadcasting and Film, May 1983; Summa Cum Laude

PUBLICATIONS (partial listing)

I have had articles published in, among others, the *Washington Post*, *CNN.com*, *Wired*, *Buzzfeed*, *NBC News Think*, *The Wall Street Journal*, *Variety*, *Legal Times*, *The Verge*, *Mashable* and *The Hill*. I have also been an online columnist for the *New York Times*, *Washington Post* and *Wired*.

I have had book chapters published in *Regulators Revenge, The Future of Telecommunications Deregulation*, (Cato Institute 1998); *The Future of Media*, (Seven Stories Press 2005) and *Media, Technology and Society: the Challenge of Digital Evolution* (University of Michigan Press, 2009).

I have had six law review articles and notes published:

- *Social Justice or Inequality: The Heart of the Net Neutrality Debate*, 80 University of Pittsburgh Law Review 779 (2019)
- *A Policy Framework for an Open Internet Ecosystem*, 2 Geo. Law Tech. Rev. 335 (2018)
- *Reflecting on 20 years Under the Telecommunications Act of 1996*, 68 Federal Communications Law Journal 58 (2017)
- *The Gore Commission Ten Years Later: Reimagining the Public Interest Standard in an Era of Spectrum Abundance*, 17 CommLaw Conspectus 657 (2009)
- *Don't Mess With Success: Government Technology Mandates and the Marketplace for Online Content*, 5 Journal on Telecommunications and High Technology Law, 73 (2006)
- *Broadcast Licensees and Localism: At Home in the Communications Revolution*, 47 Federal Communications Law Journal, 384 (1994)(with Andrew Jay Schwartzman)

HONORS AND AWARDS (partial listing)

Washingtonian “Washington’s Most Influential People” (March 2021)

National Journal “NJ 50: 50 people changing the game in Washington” (November 2019)

Office of Communication of the United Church of Christ, Everett C. Parker Award (October 2018)

Coalition for Local Internet Choice “National Champion for Local Internet Choice” Award (October 2016)

One Community “Broadband Hero” Award (September 2014)

Non-Profit Times “Power & Influence Top 50.” (August 2011)

Electronic Frontier Foundation Pioneer Award (May 2006)

ATTACHMENT B

GIGI SOHN PUBLICATIONS

Blog Posts & Opinion Articles

Benton Digital Beat: *Mapping, Impact & Adoption: A Research Agenda For Effective Broadband Policy* (Remarks before the Association of Public and Land-Grant Universities, January 28, 2021)

TechDirt Policy Greenhouse: *The Trump FCC Has Failed to Protect Low-Income Americans During a Health Crisis* (December 4, 2020)

ProMarket: *The Trump FCC Can't and Shouldn't Be the Internet Speech Police* (November 5, 2020)

Day One Project: *Restoring the Federal Communications Commission's Authority to Oversee the Broadband Market* (October 2020)

Wired: *Trump's FCC is Using Junk Data to Downplay Broadband Woes* (September 29, 2020)

CNN Business: *How to Make Broadband Affordable and Accessible for Everyone* (September 9, 2020)

TechDirt Policy Greenhouse: *The Most Important Privacy Case You've Never Heard Of* (June 30, 2020)

Wired: *During the Pandemic, the FCC Must Provide Internet for All* (April 28, 2020)

Benton Digital Beat: *Remembering Henry Geller* (April 13, 2020)

The Verge: *The FCC should let itself do more to keep Americans connected during the pandemic* (March 26, 2020)

Benton Digital Beat: *In Support of Maryland Net Neutrality Act* (Testimony to Economic Matters Committee, Maryland House of Delegates, February 26, 2020)

Benton Digital Beat: *Digital Equity and Broadband Adoption* (Testimony before the U.S. House of Representatives, Committee on Energy & Commerce, Subcommittee on Communications & Technology, January 29, 2020)

Benton Digital Beat: *The State of Broadband 2020* (January 28, 2020)

Benton Digital Beat: *The Not So Good, Very Bad and Really Weird Merger of T-Mobile and Sprint* (Remarks to NTCA Rural Broadband Association Fall Legal Seminar, November 20, 2019)

Benton Digital Beat: *Moving Backwards: consolidation, deregulation & lack of accountability in the U.S. media and broadband industries* (September 23, 2019)

Benton Digital Beat: *Nothing is Normal About the T-Mobile-Sprint Merger Review* (June 18, 2019)

Wired: *Why a T-Mobile Sprint Merger Would Be Bad for the Public* (May 22, 2019)

Benton Digital Beat: *Protect Privacy in Maine* (Testimony Before the Energy, Utilities and Technology Committee, Maine LD 946, an Act to Protect the Privacy of Online Customer Personal Information, April 24, 2019)

Benton Digital Beat: *Social Justice or Inequality: The Heart of the Net Neutrality Debate* (Remarks before University of Pittsburgh Law School Symposium on Net Neutrality, March 1, 2019)

Benton Digital Beat: *Flexibility, Humility, Connectivity: Three Ingredients for a Successful Career* (Remarks before the Penn Law Women's Association Annual Dinner, February 6, 2019)

ProMarket: *One Year After the Net Neutrality Repeal: the FCC Has Abdicated Its Role Protecting Consumers and Competition* (December 14, 2018)

Medium: *One Year Later, Net Neutrality is Needed More than Ever* (December 14, 2018)

Benton Digital Beat: *Cities (and States) are Doing it for Themselves* (Remarks before New England Connect) (November 8, 2018)

Benton Digital Beat: *Bending the Arc Towards Media and Social Justice* (Remarks upon receiving the Everett C. Parker Award) (October 11, 2018)

NBC News Think: *Brett Kavanaugh's net neutrality views could have a broad impact if he joins the Supreme Court* (September 4, 2018)

NBC News Think: *Losing Net Neutrality Made it Harder for Santa Clara to Fight its Wild Fires* (August 24, 2018)

ProMarket: *Would Sen. Warner's Ambitious Plan to Regulate Social Media Giants "Ruin" the Internet—Or Save it?* (August 13, 2018)

Benton Digital Beat: *The U.S. Needs a New Policy Framework for an Open Internet Ecosystem* (July 28, 2018)

Benton Digital Beat: *Competition Policy for an Open Internet Ecosystem* (July 25, 2018)

Benton Digital Beat: *Regulatory Oversight and Privacy Policy for an Open Internet Ecosystem* (July 24, 2018)

Medium: *Progress in a Hostile Political Environment: Raising Awareness and Recruiting Foot Soldiers in the Battle for an Open Internet* (June 15, 2018)

Medium: *The Time to get the Net Neutrality Rules Back is Now* (May 15, 2018)

Buzzfeed News: *Two Companies Won, American Democracy Lost* (June 14, 2018)

Wired: *Promises Mean Little for Consumers in T-Mobile-Sprint Deal* (May 18, 2018)

Wired: *Ajit Pai's Plan Will Take Away Broadband from Poor People* (with Amina Fazlullah) (February 21, 2018)

New York Daily News: *Online innovation at risk following FCC's repeal of net neutrality rules* (December 14, 2017)

Mashable: *The FCC's proposal to kill net neutrality is worse than you think* (November 22, 2017)

The Verge: *The FCC is having a terrible month, and consumers will pay the price* (November 15, 2017)

Medium: *Fighting for Fast, Fair and Open Networks* (October 11, 2017)

The Verge: *It's time for Congress to fire the FCC chairman* (September 27, 2017)

American Constitution Society ACS Blog: *The Assault on the Open Internet* (June 24, 2017—no longer available online)

Mashable: *How to write an impactful net neutrality comment (which you should definitely do)* (June 17, 2017)

The Verge: *Breaking down the FCC's proposal to destroy net neutrality* (May 24, 2017)

Mashable: *What to expect when you're expecting the net neutrality debate to begin* (May 15, 2017)

Axios: *Repealing net neutrality hurts innovators, consumers* (April 27, 2017)

Mashable: *Consumers and innovators will lose if we kill net neutrality* (April 17, 2017)

The Verge: *The FCC's plan to kill net neutrality will also kill Internet privacy* (April 11, 2017)

The Verge: *You have just hours to stop Congress from giving away your web browsing history* (March 28, 2017)

The Hill: *FCC, FTC are playing a shell game with online privacy* (March 18, 2017)

Axios: *Real net neutrality is rooted in Title II* (March 2, 2017)

Benton Digital Beat Blog: *First Lifeline, Now Broadband Program for Schools and Libraries in the FCC's Crosshairs* (Feb. 22, 2017)

Benton Digital Beat Blog: *Defending the Indefensible: Chairman Pai's Lifeline Reversal Will Widen the Digital Divide* (February 9, 2017)

My Huffington Post blog posts from 2011–2013 can be found [here](#). CNET: *Don't Blow it Congress* (March 14, 2006)

Washington Post: *Fairness, Not Silence* (January 31, 1994)

Electronic Media: Fairness Doctrine Debate with Rush Limbaugh (est. early 1990s)

I had articles published in Variety and the Legal Times in the 1990s, but I can't remember the topics and can't find them online.

Clarifying What I Would Do If I Were FCC Chair (June 6, 2013)

Wall Street Journal: *Should Congress Overturn the Net Neutrality Rules?* (March 17, 2013)

New York Times Room for Debate: *Who Gets Priority on the Web? Consumer Choices on the Internet* (February 21, 2013)

The Next FCC Chair: Decisive Protector of the Public Interest (January 15, 2013)

Sorting out the past 36 hours at the WCIT (December 13, 2012)

What the Election Means for the Internet (November 7, 2012)

<https://publicknowledge.org/what-the-election-means-for-the-internet/>

Oregon: *Past and Present, A Model for the Nation on Broadband Policy* (October 26, 2012)

Not-So-Hidden Agendas Threaten the ITU “Kumbaya” Moment (August 17, 2012)

Civil Society is Key to the Debate on International Control Over the Internet (June 4, 2012)

As AT&T Spins, Justice Should Ensure that Facts and Law Trump Politics (September 6, 2011)

Lots of Potential Buyers for T-Mobile if they Want to Leave the U.S. Market (June 7, 2011)

The Case Against AT&T&T (Part I) (March 29, 2011)

And Away We Go . . . (December 1, 2010)

Boucher Defeat a Loss for Tech Policy World (November 3, 2010)

Why the FCC’s Net Neutrality Negotiations Failed and the Opportunity it Presents (September 21, 2010)—N.B. No text found in archive of Public Knowledge website and in Internet search

Academics Call For U.S. to Adopt EU Internet Access Regs—Fine with Us! (April 21, 2010)

Saving the “Cop on the Beat” Federalist Society Style (March 17, 2010)

It’s Time to Save the Broadband “Cop on the Beat” (March 16, 2010)

Let the Net Neutrality Debate Season Begin! (December 14, 2009)

Stupak Bill Would Promote More Honest Decisionmaking at the FCC (December 4, 2009)

MPAA v. The Public (November 25, 2009)

Content and Its Discontents (November 3, 2009)

Supreme Court Declines to Hear Cablevision Case: Video Providers, Consumers and Innovation all Win (June 29, 2009)

Obama Tech Team Finally in Place: Lots to Do Right Away (June 26, 2009)

No Choke Points (June 23, 2009)

FCC Reform the Star of Confirmation Hearing (June 17, 2009)

Big Network Providers Throw FUD at Broadband Stimulus Roundtable (March 24, 2009)

The Chairmen (March 5, 2009)

The Power of the Internet on a Day to Remember (January 21, 2009)

CES Day 1: Sony’s 7 Imperatives: Openness is Good, but Not Entirely (January 8, 2009)

FCC Reform: No longer If, But How (January 6, 2009)

Tis the Season for Transition Meetings (December 16, 2008)

Higher Ed Needs an IT Policy Task Force (August 14, 2008)

Comcast Decision Scratches a 20-Year Itch (August 4, 2008)

Comcast: One Giant Step in a Longer March (July 31, 2008)

XM-Sirius Post Mortem (July 31, 2008)

Changes/Clarifications Needed Before Sirius-XM Proposal Passes Public Interest Test (June 17, 2008)

PK’s Conditions Included in FCC’s XM-Sirius Merger Draft Order (June 16, 2008)

Wireless Companies Say they Can Censor Your Speech. Tell the FCC They Can’t! (April 9, 2008)

Cut and Run (April 1, 2008)

XM-Sirius Merger Banal-ysis (March 31, 2008)

Defend Your Right to Free Speech: Tell the FCC to Protect Text Messaging! (March 12, 2008)

PK’s Plate Fills Quickly As Congress Returns (February 1, 2008)

Verizon: No thank you on copyright filtering (January 31, 2008)

2008 CES Photo Album (January 22, 2008)

Time Warner Steps Up to the Plate on Bandwidth Usage: UPDATED (January 17, 2008)

News from CES Days 1 & 2 (January 9, 2008)

Welcome to CES! (January 7, 2008)

Mark Cuban: Blocking and Discrimination OK, but not for HDNet (November 27, 2007)

Google Blinks, and Today the Internet is a Little Less Free (October 15, 2007)
Last Cry of the Dinosaurs (August 13, 2007)
Making Lemonade out of Lemons from the FCC's 700 MHz Spectrum Auction Decision (July 31, 2007)
Both Sides Get Busy In Preparation for Draft of 700 MHz Spectrum Auction Rules (July 9, 2007)
Open Access: A Simple and Elegant Solution to the Broadband Competition Problem (June 27, 2007)
Advertisers, the Guilds and Some TV Networks Get it—Disney Does Not (March 14, 2007)
Mostly Pleasant Surprises and One Expected Unpleasantness at “Future of Video” Hearing (May 10, 2007)
We Live To Fight Another Day! (April 26, 2007)
A Legacy-Defining Moment (April 23, 2007)
The XM-Sirius Merger and the Public Interest (April 6, 2007)
Getting Serious About Spectrum Policy (April 5, 2007)
More From the Unmitigated Gall Department (March 1, 2007)
From the Unmitigated Gall Department (February 20, 2007)
Blowing the Lid off the Myth of Wireless (February 16, 2007)
The FTC Tackles Net Neutrality (February 16, 2007)
Hollywood on the Hill: Time to Bury the Broadcast Flag? (February 6, 2007)
CBS and Sling Media: Strange and Wonderful Bedfellows (January 10, 2007)
Preparing for the 110th (January 5, 2007)
A Happy Holiday Gift: Commissioner McDowell Recuses Himself from AT&T-Bell South Merger (December 18, 2006)
Update: Tax Bill Still a Possible Vehicle for Broadcast Flags (December 7, 2006)
Lame Duck Session Part II: Will a Tax Bill Be a Home for the Audio Flag? (December 1, 2006)
RIAA Pulling Out All The Stops To Pass Audio Flag (November 16, 2006)
Election Day Schizophrenia (November 8, 2006)
The Wealth of Networks (October 3, 2006)
Online Video Distribution Starts To Grow Up: Incumbents Get Nervous (September 15, 2006)
Fasten Your Seatbelts—Congress is Back in Town (September 7, 2006)
CORRECTION: NO INJUNCTION IN ECHOSTAR CASE (September 1, 2006)
Take your \$100 million and . . . (September 1, 2006)
A Reprieve for Echostar (Sort of) (August 28, 2006)
Protecting Local Broadcasters—Why? (August 22, 2006)
Broadcast Flag Smackdown: Video v. Audio (July 13, 2006)
One flag debate down, another to go (June 28, 2006)
VCs in NYC Get Serious About Policy (June 16, 2006)
Another Red Herring (June 6, 2006)
Net Neutrality Nitty Gritty (June 6, 2006)
And Over in the Senate Commerce Committee . . . (May 26, 2006)
Cable Industry, Now Its Your Turn (May 26, 2006)
Net Neutrality Nonsense (May 23, 2006)
The Myth of Internet “Regulation” (May 19, 2006)
Quick Analysis of the Sensenbrenner-Conyers NN Bill (May 19, 2006)
A Couple of Clarifications on the XM Lawsuit (May 17, 2006)
ISO Broadband Competition (May 16, 2006)
Welcome! (May 16, 2006)
Why Network Providers Need to Discriminate, Part 27 (May 15, 2006)
May Madness (May 2, 2006)
The Anti-consumer Electronics Company (April 20, 2006)
Billzapoppin’ (April 5, 2006)

Journal Articles & Book Chapters

I have had book chapters published in *Regulators Revenge, The Future of Telecommunications Deregulation*, (Cato Institute 1998); *The Future of Media*, (Seven Stories Press 2005) and *Media, Technology and Society: Theories of Media Evolution* (University of Michigan Press, 2009).

I have had six law review articles and notes published:

- *Social Justice or Inequality: The Heart of the Net Neutrality Debate*, 80 University of Pittsburgh Law Review 779 (2019)
- *A Policy Framework for an Open Internet Ecosystem*, 2 Geo. Law Tech. Rev. 335 (2018)
- *Reflecting on 20 years Under the Telecommunications Act of 1996*, 68 Federal Communications Law Journal 58 (2017)
- *The Gore Commission Ten Years Later: Reimagining the Public Interest Standard in an Era of Spectrum Abundance*, 17 CommLaw Conspectus 657 (2009)
- *Don't Mess With Success: Government Technology Mandates and the Marketplace for Online Content*, 5 Journal on Telecommunications and High Technology Law, 73 (2006)
- *Broadcast Licensees and Localism: At Home in the Communications Revolution*, 47 Federal Communications Law Journal, 384 (1994) (with Andrew Jay Schwartzman)

ATTACHMENT C

SPEECHES, PANEL DISCUSSIONS AND PRESENTATIONS

Speeches

[I'm fairly positive that I gave speeches prior to 2008, but I don't have copies, can't recall them, and can't find them online]

Mapping, Impact and Adoption: A Research Agenda for Effective Rural Broadband Policy (Remarks to the Association of Public Land Grant Universities, January 28, 2021)

The Not So Good, Very Bad and Really Weird Merger of T-Mobile and Sprint (Speech NTCA: The Rural Broadband Association Fall Legal Seminar, November 20, 2019)

Moving Backwards: Consolidation, Deregulation & Lack of Accountability in the U.S. Media & Broadband Industries (Remarks to Centro De Investigacion y Docencia Economicas, A.C. Competencia en Telecommunications y Radiofusion: Disrupcion Technologica y Neutralidad de Redes, September 23, 2019)

Social Justice or Inequality: The Heart of the Net Neutrality Debate (Remarks to the University of Pittsburgh Law Review Symposium: The Net Without Neutrality, Economic, Regulatory and Informational Impacts, March 1, 2019)

Flexibility, Humility, Connectivity: Three Ingredients for a Successful Career (Remarks to the Penn Law Women's Association Dinner, February 19, 2019)

Remarks before Connected New England 11 (November 8, 2018)

Bending the Arc Towards Media & Social Justice (Remarks to the Office of Communication of the United Church of Christ Everett C. Parker Lecture, October 11, 2018)

The FCC: Can't Live With it, Don't Want to Live Without it (Remarks to the Great Lakes Connect Conference, September 26, 2018)

Remarks on the Future of Local Internet Choice (October 18, 2016)

Connecting Anchor Institutions: A Broadband Action Plan (Remarks to 2016 SHLB Annual Conference, July 13, 2016)

Remarks at Net Inclusion, the National Digital Inclusion Summit (May 16, 2016)

Remarks to New America Foundation (March 23, 2016)

Remarks to Emerging Issues Policy Forum, Digital Pathway Summit (January 14, 2016)

Remarks to ECTA Regulatory Conference (November 17, 2015)

Remarks to Partnership for Progress on the Digital Divide Conference (October 22, 2015)

Consumer Protection in the Broadband Era: The Role of the FCC (Remarks to the 4th annual Professor Anthony J. Santoro Business Law Lecture Series, September 25, 2015)

What the Future Holds for Local Governments (Remarks to NATOA Annual Conference, September 9, 2015)

Remarks to the Fiber to the Home: Fiber on Fire Conference (June 30, 2015)
Remarks to Westminster, MD Fiber Launch Party (June 26, 2015)
Remarks to Third Annual New York State Broadband Summit (June 11, 2015)
Halftime at the Wheeler FCC (Remarks to Media Institute Communications Forum, June 4, 2015)
Remarks to Moving Towards a Gigabit State (May 4, 2015)
The Art of the Possible (Remarks to the One Community Annual Meeting, September 10, 2014)
FCC: Out to Lunch (Remarks to the Personal Democracy Forum, June 13, 2013)
The Broadband Ecosystem: Living with the Cloud (Remarks to the 17th Annual Oregon Connections Telecommunications Conference, October 18, 2012)
Remarks to Communication Power: Net Neutrality and the Public Commons (April 28, 2010)
Keynote Speech at Free Culture X (February 13, 2010)
Remarks to Copyright Monopoly: Playing the Innovation Game (May 28–30, 2008)
IT Perspectives Inside the Beltway (Remarks to EDUCAUSE/Cornell Institute for Computer Policy & Law, July 2007)

LIST OF PANELS AND PRESENTATIONS ARE IN THE ACCOMPANYING SPREADSHEET

Gigi Sohn Appearances (Conferences Panels—1990–2000)

Date	Title	Organization	Link	Transcript (if available)
April 26, 1995	Content Control: First Amendment at Risk?	American Women in Radio & TV	N/A	American Women in Radio & TV will host Wed. panel on "Content Control: First Amendment at Risk?" 7 p.m., National Public Radio, 635 Mass. Ave. NW, Washington. Panelists include RTNDA Pres. David Bartlett; Victoria Jones, WRC(AM) Washington; Gigi Sohn, Media Access Project; Robert Corn-Revere, of law firm Hogan & Hartson. Transcript at link
April 2, 1997	Broadcast Spectrum Allocation	Common Cause	CSPAN	
November 8, 2000	Television Air Time for Political Candidates	Boston University Communications School "The Great Debate"	CSPAN	

Gigi Sohn Appearances (Conferences Panels—2001–2010)

Date	Title	Organization	Link	Transcript (if available)
May 1, 2002	Panel—Luncheon by the Advisory Committee to Congressional Internet Caucus	Advisory Committee to Congressional Internet Caucus	<i>Comm Daily</i>	
April 25, 2003	Panel—D.C. Bar	DC Bar	<i>Comm Daily</i>	
February 19, 2004	Panel—Intel Developer Forum	Intel	<i>Comm Daily</i>	
May 2004	Testimony—Senate Commerce Committee	US Senate Commerce Committee	<i>Comm Daily</i>	
May 3, 2004	Reauthorization of the Satellite Home Viewers Improvement Act of 1999 (SHVIA)	US Senate Commerce Committee	<i>Commerce Committee</i>	CSPAN
July 8, 2005	MGM v. Grokster: What's Next?	Progress & Freedom Foundation	<i>PFF</i>	
February 13, 2006	Roles of Government in Technological Innovation	State of the Net	<i>State of the Net</i>	
April 11, 2007	Save Our Spectrum Coalition	Public Knowledge	<i>PK In the Know Podcast</i>	
January 24, 2008	C-SPAN Communicators	C-SPAN	<i>Public Knowledge</i>	
June 16, 2008	"Net Neutrality: It's Back Again"	Broadband Policy Summit	<i>Public Knowledge</i>	
September 25, 2008	Broadband Providers and Consumer Privacy	US Senate Commerce Committee	<i>Commerce Committee</i>	
January 5, 2009	The Future of the FCC as an Institution	Federal Communications Commission	<i>C-SPAN</i>	
February 24, 2009	Oral Testimony	Public Knowledge	<i>Public Knowledge</i>	Full testimony in link
February 11, 2009	Future of Music Coalition's DC Policy Day	Future of Music Coalition	No link	
March 24, 2009	Tech Policy Summit 2009	Tech Policy Summit	No link	
September 3, 2009	Workshop: Big Ideas with Potential to Substantially Change the Internet	FCC	<i>FCC</i>	Video in link— testimony here
September 21, 2009	Workshop: The Role of Content in the Broadband Ecosystem	FCC	<i>FCC</i>	Video in link
October 8, 2009	San Diego Field Hearing on National Broadband Plan	FCC	<i>Benton Institute</i>	
Nov 14, 2009	Broadband Policy: One Year In	2009 National Lawyers Convention	<i>The Federalist Society</i>	<i>Panel Transcript</i> here

Gigi Sohn Appearances (Conferences Panels—2001–2010)—Continued

Date	Title	Organization	Link	Transcript (if available)
December 23, 2009	Web 2.0 Technologies and Participatory Democracy	The McGowan Forum	<i>The McGowan Forum</i>	
February 2, 2010	Regulation after the National Broadband Plan	FCBA: The Tech Bar, New England Chapter	<i>FCBA: The Tech Bar</i>	
February 13, 2010	Free Culture Conference	GWU	<i>Benton Institute</i>	
March 1, 2010	Broadband and Cable Industry Law 2010	Practising Law Institute	<i>Benton Institute</i>	
March 3, 2010	The FCC's Authority to Promulgate Internet Traffic Rules	Federalist Society	<i>Federalist Society</i>	
March 8, 2010	6th Annual Comprehensive Conference on Spectrum Management	Law Seminars International	<i>Benton Institute</i>	
March 10, 2010	At FCC for the Internet Age: Reform and Standard-Setting	Silicon Flatirons	<i>Benton Institute</i>	
March 31, 2010	Media Regulation and the First Amendment	FCBA: The Tech Bar	<i>FCBA: The Tech Bar</i>	
April 28, 2010	Workshop: Approaches to Preserving the Open Internet	FCC	<i>Benton Institute</i>	
June 3, 2010	Toward a Sustainable Spectrum Policy: Rethinking Federal Spectrum	Public Knowledge	<i>Benton Institute</i>	
June 11, 2010	Broadband Policy Summit	Broadband Policy Summit	<i>Broadband Policy Summit</i>	
Sep 15, 2010	The Internet and Innovation—Why Network Architecture Matters	New America Foundation	<i>Benton Institute</i>	
Oct 18, 2010	New Developments in Spectrum and Wireless: National Broadband Plan Implementation	Law Seminars International	<i>Benton Institute</i>	
Nov 11, 2010	Communications Law in the Digital Age 2010	Practising Law Institute	<i>Benton Institute</i>	
December 8, 2010	Keen On Gigi Sohn Compromise	TechCrunch	<i>TechCrunch</i>	
December 25, 2010	Internet Neutrality Keynote	C-SPAN	<i>C-SPAN</i>	
October 8–9, 2010	Internet Neutrality Keynote	Free Culture Conference	<i>Public Knowledge</i>	

Gigi Sohn Appearances (Conferences Panels—2011–2023)

Date	Title	Organization	Link	Transcript (If Available)
Mar 11, 2011	Lunchtime Talk about Communications Policy	Stanford Law and Technology Association	<i>Stanford Law School</i>	
Mar 22, 2011	PBS News Hour: How Will Consumers Fare in T-Mobile, AT&T Merger	PBS News Hour	<i>PBS</i>	
Jul 5, 2011	NCMR 2011—How to Fix the Broken FCC	Free Press	<i>Free Press</i>	
May 30, 2012	United Nations Internet Regulation Plan	United Nations	<i>YouTube</i>	
Jun 12, 2012	FCC: Out to Lunch	Personal Democracy Forum	<i>National Press Club</i>	
Jun 22, 2012	Congressional Hearing: The Universal Music Group/EMI Merger and the Future of Online Music	Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Right	<i>C-SPAN</i>	
Jun 27, 2012	Congressional Hearing: Television and the Internet	House Energy & Commerce Subcommittee on Communications and Technology	<i>PdF YouTube</i>	
Jun 28, 2012	The 2012 WCIT: Crafting International Telecommunications Regulations for the 21st Century	FCBA: The Tech Bar	<i>Public Knowledge</i>	
Jun 29, 2012	Congressional Hearing: The Future of Video	House Subcommittee on Communications and Technology	<i>YouTube</i>	
Sep 21, 2012	21st Century Campaigns	National Democratic Institute	<i>National Democratic Institute</i>	
Oct 5, 2012	Dear Abby for Politicos and Subway Spelunking	Brian Lehrer TV	<i>Brian Lehrer TV</i>	
February 10, 2013	The Digital Broadband Migration in the Next Decade	Silicon Flatirons Digital	<i>Silicon Flatirons at Colorado Law</i>	
June 11, 2013	Is Government a Friend or Foe of Innovation?	Broadband Migration	<i>The Federalist Society</i>	
July 25, 2013	Senate Commerce Committee hearing on the "State of Wireline Communications"	The Federalist Society: First Annual Executive Branch Review Conference	<i>Senate Commerce Committee</i>	Testimony
Aug 9, 2013	Summit on Government Intelligence	Obama Administration	<i>The Guardian</i>	
Aug 15, 2013	Gigi Sohn FCC: Out to Lunch PDF12 HD	Personal Democracy Forum	<i>PdF YouTube</i>	
Sep 12, 2013	Regulation of Open Internet Access	2012 June 11–12 NYC	<i>C-SPAN</i>	
Sep 17, 2013	Verizon vs. FCC	CSPAN	<i>C-SPAN YouTube</i>	
Sep 26, 2013	Lunch and Learn	TPRC41	<i>TPRC</i>	

Gigi Sohn Appearances (Conferences Panels—2011–2023)—Continued

Date	Title	Organization	Link	Transcript (If Available)
Jun 24–27, 2014	Q&A with Gigi Sohn, Federal Communications Commission (FCC)	US Ignite	<i>US Ignite</i>	
Jun 28, 2014	Information Manipulation Part 1: Net Neutrality	2014 ALA Annual Conference	<i>American Library Association</i>	
Sep 16, 2014	VIDEO: FCC's Gigi Sohn Keynotes OneCommunity's Annual Meeting	Cool Cleveland	<i>Cool Cleveland</i>	
Nov 3, 2014	The Future of the Broadband Marketplace	Internet Society North America Bureau	<i>Internet Society North America Bureau</i>	
Nov 12, 2014	The Ongoing Debate Over Net Neutrality	Diane Rehm Show	<i>Diane Rehm Show</i>	
Jan 27, 2015	Beyond Net Neutrality: What Levers of Government Can Better Connect Citizens, Communities and Devices?	State of the Net	<i>Internet Caucus Advisory Committee</i>	
Feb 6, 2015	The Communicators	CSPAN	<i>C-SPAN</i>	
Mar 3, 2015	Interview with Sam Gustin	Freedom2Connect	<i>Freedom2Connect</i>	
Mar 13, 2015	Consumer Privacy and Security	Consumer Issues Conference	<i>C-SPAN</i>	
Mar 16, 2015	Take Back Your Internet 2015 Panel	SXSW	<i>Data Foundry</i>	
Mar 16, 2015	Fast, Fair & Open: The FCC's Broadband Future	SXSW	<i>YouTube SoundCloud (Audio)</i>	
May 12, 2015	2015 ACA Summit—A View From The FCC	ACA Summit	<i>ACA Connects</i>	
Jun 30, 2015	Westminster Fiber Launch Party	The City of Westminster, Ting, and Intelitech	<i>The City of Westminster Community Center</i>	
Sep 22, 2015	A Conversation with Gigi Sohn: What the Future Holds for Local Governments	NATOA 2015 Annual Conference	<i>NATOA</i>	
Oct 21–22, 2015	PPDD 2015 Conference Program	PPDD	<i>PPDD</i>	
Feb 1, 2016	Regulation and Industry Structure	Silicon Flatirons Digital Broadband Migration	<i>Silicon Flatirons at Colorado Law</i>	
Apr 5, 2016	Fireside Chat: FCC	Gigabit Cities Live	<i>Gigabit Cities</i>	
May 24, 2016	Hot Topics with Gigi Sohn, Counselor to the Chairman	FCBA The Tech Bar, Northern California Chapter	<i>FCBA: The Tech Bar</i>	
Jul 13, 2016	Release of SHLB's Grow2Gig+ Broadband Action Plan	SHLB	<i>SHLB</i>	
Jan 23, 2017	Rethinking the Future of Communications Policy	State of the Net	<i>C-SPAN YouTube</i>	
Apr 4, 2017	How will new law blocking Internet privacy rules affect you?	PBS News Hour	<i>PBS News Hour</i>	
May 5, 2017	Net Neutrality in Transition—The Future of the Open Internet	Congressional Internet Caucus Academy	<i>Congressional Internet Caucus Academy</i>	
Aug 18, 2017	What's at Stake? Net Neutrality	MNN NYC	<i>MNN NYC</i>	
Sep 17, 2017	TESTIMONY ON ATT-T-MOBILE MERGER	Public Knowledge	<i>Public Knowledge</i>	
Sep 28, 2017	Internet Archive Presents the Battle to Save Net Neutrality Live Stream	Internet Archive	<i>Internet Archive</i>	
Nov 15, 2017	Media Ownership in the U.S.	TV industry analysts meeting	<i>C-SPAN</i>	
Nov 19, 2017	After The Tornado 03—Panel: 20 Years of Internet Policy	Wharton School, University of Pennsylvania	<i>Wharton School, University of Pennsylvania</i>	
Dec 5, 2017	Communicators Roundtable Discussion on Net Neutrality	CSPAN	<i>C-SPAN</i>	
Dec 13, 2017	Tomorrow the FCC will vote on a measure that could change the Internet as we know it.	Georgetown University Law Center	<i>Georgetown University Law Center</i>	
Feb 11, 2018	Challenges of Governance	Silicon Flatirons: Regulating Computing and Code	<i>Silicon Flatirons at Colorado Law</i>	
Feb 23, 2018	Symposium: The Governance and Regulation of Information Platforms	Georgetown Law Institute for Technology Law and Policy	<i>Georgetown Institute for Technology Law and Policy</i>	
Mar 5, 2018	What's Next in the Fight for Net Neutrality	92nd Street Y Days of Genius Festival	<i>92nd Street Y</i>	
Mar 5, 2018	The Forecast: Online Panel on Net Neutrality	Eyebeam	<i>Eyebeam</i>	
Mar 9, 2018	Conflicting Visions: The Debate on Net Neutrality	SWSX	<i>SWSX</i>	
Mar 20, 2018	Repeal of the Open Internet Order of 2015: A Discussion of a Dynamic Internet and the Road Ahead	Catholic University of America Law School	<i>Catholic University of America Law School</i>	
Apr 2, 2018	Technology and its Discontents: Building Power for a New Paradigm	The New School	<i>The New School</i>	

Gigi Sohn Appearances (Conferences Panels—2011–2023)—Continued

Date	Title	Organization	Link	Transcript (If Available)
Apr 18, 2018	Whose Internet Is It?	ABA Antitrust Committee Spring Conference	No link	
May 9, 2018	Gigi Sohn and Robert McDowell	The Communicators	<i>The Communicators</i>	
May 15, 2018	Hot Topics in Digital Rights: A Global Look at the Future of Internet Health	Mozilla	<i>Mozilla</i>	
Aug 18, 2018	Net Neutrality Panel	AEJMC 2018 Conference	<i>AEJMC</i>	
Sep 17, 2018	The Fate of Net Neutrality in the US	Mozilla	<i>Mozilla</i>	
Sep 26, 2018	Great Lakes Connect, Fairlawn OH—The FCC: Can't Live Without it, Don't Want to Live Without it	Great Lakes Connect	<i>Gigi Sohn's Website</i>	
Oct 17, 2018	Parker Lecture 2018—Gigi Sohn describes the influence of Everett Parker's work	UCC Media Justice	<i>UCC Media Justice</i>	
Nov 8, 2018	Connected New England—Local Solutions for Broadband Development	Connected New England	<i>Connected New England</i>	
Nov 9, 2018	ALA Webinar Previewing 2019 Congressional Agenda for Communications and Technology	American Library Association (ALA)	No Link	
Nov 12, 2018	Great Lakes Connect 2018: The FCC Can't Live With It, Don't Want To Live Without It	Mountain Connect	<i>Mountain Connect</i>	
Dec 14, 2018	Legalese: Gigi Sohn on Net Neutrality	Georgetown University Law Center	<i>Georgetown University Law Center</i>	
Feb 17, 2019	The 1996 Telecom Act is 23 Years Old: Is it Time for a New One?	NARUC WInter Policy Summit	<i>NARUC</i>	
Feb 28, 2019	Competition Crossfire Sprint-T-Mobile	INCOMPAS Policy Summit 2019	<i>INCOMPAS</i>	
Mar 7, 2019	Government Needs You	RSA	<i>RSA</i>	
Mar 12, 2019	House Judiciary sub-committee on T-Mobile/Sprint Proposed Merger	CSPAN	<i>CSPAN</i>	
Mar 26, 2019	Free State Foundation's 11th Annual Telecom Policy Conference	Free State Foundation	<i>Free State Foundation</i>	
Apr 1, 2019	NewDem Action Fund Policy Conference	NewDem Action Fund	<i>CSPAN</i>	
May 22, 2019	Introduction to the Current Status of Digital Divide Policy Around the World	Partnership for Progress on the Digital Divide	<i>PPDD</i>	
May 23, 2019	Evidence suggests pricing will increase with T-Mobile-Sprint merger, expert says	CNBC Television	<i>CNBC Television</i>	
Jun 11, 2019	Gigi Sohn against Robert McDowell in a debate on the future of children's TV regulations	The Media Institute Communications Forum	<i>The Media Institute Communications Forum</i>	
Jun 14, 2019	Gigi Sohn on why net neutrality matters	Fight for the Future	<i>Fight for the Future</i>	
Jul 15, 2019	Lessons on Competition Policy from the Telegraph to Twitter: A Book Talk	German Marshall Fund	<i>German Marshall Fund</i>	
Sep 20, 2019	Mobile Consolidation at an Antitrust Crossroads	TPRC47	<i>TPRC</i>	
Oct 5, 2019	Former FCC counselor breaks down California net neutrality ruling	The Hill	<i>The Hill</i>	
Oct 8, 2019	Communicators Roundtable on Internet Regulation Court Decision	The Communicators	<i>The Communicators</i>	
Nov 1, 2019	Briefing on Mozilla v. FCC	Senate Commerce Committee Bipartisan Staff	No link	
Nov 14, 2019	CLE: Restoring Internet Freedom: Understanding the Mozilla Opinion and What it Means	FCBA: The Tech Bar	<i>FCBA: The Tech Bar</i>	
Jan 29, 2020	Empowering and Connecting Communities through Digital Equity and Internet Adoption	Subcommittee on Communications and Technology of the Committee on Energy and	<i>Energy & Commerce Democrats</i>	
Feb 12, 2020	T-Mobile-Sprint merger critic voices her concern for consumers	CNBC Television	<i>YouTube</i>	
Mar 27, 2020	The Importance of Universal Broadband in the Age of the Coronavirus	Broadband Breakfast	<i>CNBC YouTube</i>	
Mar 31, 2020	Broadband and the Coronavirus	Broadband Breakfast	<i>Broadband Breakfast</i>	
Apr 24, 2020	Disconnected: COVID-19 and the Digital Divide	Aspen Institute	<i>The Aspen Institute</i>	

Gigi Sohn Appearances (Conferences Panels—2011–2023)—Continued

Date	Title	Organization	Link	Transcript (If Available)
Apr 29, 2020	Digital Access: The Haves and Have Nots	Aspen Ideas to Go	<i>The Aspen Institute</i>	
Jul 15, 2020	Panel on Broadband Developments in Congress, FCC and the White House	Practising Law Institute Broadband and Cable Industry	No link	
Aug 23, 2020	A Forum on Equity: Municipal Broadband and Broadband Access	Arlington Democrats	<i>Arlington Democrats</i>	
Sep 9, 2020	COVID-19 and the Law	Washington College of Law at American University	<i>Washington College of Law at American University</i>	
Sep 16, 2020	Section 230: What's at Stake and Why it Matters	INCOMPAS Show	<i>Incompas</i>	
Sep 24, 2020	Section 230: Ask the Experts	FCBA: The Tech Bar	<i>FCBA: The Tech Bar</i>	
Oct 15, 2020	FCC Conversation	Day One Project	<i>Day One Project</i>	
Oct 19, 2020	FCC v. DoD Spectrum Fight: Ligado, GPS and the Future of Spectrum Policy	Lincoln Network	<i>Lincoln Network</i>	
Nov 10, 2020	Biden's Relationship with Big Tech Will Be Different This Time Around: Georgetown's Gigi Sohn	Bloomberg TV	<i>Bloomberg</i>	
Nov 12, 2020	Digital Equity in the Age of COVID	Council on Foundations 2020 Policy Summit	<i>Council on Foundations</i>	
Nov 12, 2020	Podcast: Why Does My Internet Suck?	Electronic Frontier Foundation	<i>Electronic Frontier Foundation</i>	
Nov 16, 2020	Section 230 Panel	American Bar Association Antitrust Committee	No link	
Nov 26, 2020	#Reboot2020 Is the Techlash Over?	Lincoln Network	<i>Lincoln Network</i>	
Dec 14, 2020	Rebuilding the Federal Workforce/Diane Rinaldo & Gigi Sohn	The Hill	<i>The Hill Events</i>	
Jan 12, 2021	Policy Priorities and Possibilities for the Biden FCC	Georgetown Center for Business and Public Policy	<i>Georgetown Center for Business and Public Policy</i>	
Jan 28, 2021	Exploring the Intersection between Community and Agricultural Broadband Needs	Association of Public and Land-Grant Universities	<i>Benton</i>	
Jan 29, 2021	The Rural Renaissance: How Diverse Communities Get Connected Non-Obvious Diversity Summit	nonobvious diversity	<i>Beyond Diversity Summit</i>	
Feb 10, 2021	The Rural Broadband Challenge and the Promise of 5G	Western Attorneys General	<i>Western Attorneys General</i>	
Feb 11, 2021	100 Women Strong Elevate Summit	Elevate Summit	<i>Elevate Summit</i>	
Feb 19, 2021	What to Expect for Tech in the Biden-Harris Administration	TPRC48	<i>TPRC</i>	
Feb 17, 2021	Public Knowledge's Founding Build Back Better: Digital Equity In The Biden-Harris Administration	Public Knowledge	<i>Public Knowledge</i>	
Feb 25, 2021	Build Back Better: Digital Equity In The Biden-Harris Administration	20MM Foundation	<i>20MM Foundation</i>	
Feb 28, 2021	Bridging the Digital Divide for an Inclusive Future	Federal Reserve Bank of Chicago	<i>Federal Reserve Bank of Chicago</i>	
Mar 15, 2021	Lavender Link: Big, Bold and Bipartisan? Communications Policy During the Biden Administration	LGBTQbar	<i>LGBTQbar</i>	
Mar 25, 2021	Relationship Building for Business Development, Leadership Opportunities and Effective Advocacy	FCBA Women's Summit	No link	
Apr 14, 2021	Careers in Non-Profit Advocacy	FCBA: The Tech Bar	No link	
Apr 22, 2021	ZEKE SPECTOR IS NOT AFRAID: The Dangers of Facebook	VICE Video	<i>Vice News</i>	
April 27, 2021	Federal Advocacy: Why Local Voices Matter	Robert W. Deutsch Foundation Digital Equity Leadership Lab	<i>Robert W. Deutsch Foundation</i>	
May 10, 2021	Broadband Developments in Congress, FCC and the White House	Practising Law Institute Broadband and Cable Industry	No link	
May 12, 2021	How Can We Build a Better Internet?	The Verge Live Event	<i>The Verge</i>	
May 12, 2021	Federal Broadband Update	Illinois Broadband Advisory Council	No link	
Jun 3, 2021	EFF30 Fireside Chat: Free the Internet, with Gigi Sohn	Electronic Frontier Foundation	<i>Electronic Frontier Foundation</i>	
Jul 9, 2021	Panel on Effect of COVID-19 on Low-Income Communities Access to Broadband	Association of Women Judges	No link	

Gigi Sohn Appearances (Conferences Panels—2011–2023)—Continued

Date	Title	Organization	Link	Transcript (If Available)
Jul 29, 2021	Broadband and Digital Inclusion	Knight Foundation Smart Cities Lab	<i>Knight Foundation</i>	
Dec 1, 2021	Confirmation Hearing for FCC and Commerce Department Nominees	C-SPAN	<i>C-SPAN</i>	
Feb 9, 2022	Confirmation Hearing For FCC Nominee	C-SPAN	<i>C-SPAN</i>	
Jun 10, 2022	P2P Texting Listening Session	Movement Labs	No link	
Oct 10, 2022	Federal Advocacy: Why Local Voices Matter	Robert W. Deutsch Foundation Digital Equity Leadership Lab	<i>Robert W. Deutsch Foundation</i>	

Conferences with Multiple Appearances (No Links Available)	
Practising Law Institute Communications Law in the Digital Age—Electronic Media Regulation Panel (22 years)	
Practising Law Institute Telecommunications Law Seminar (6 years)	
International Consumer Electronics Show (8 years)	
Consumer Electronics Association HDTV Summit (3 years)	

ATTACHMENT D

PUBLIC STATEMENTS/MEDIA APPEARANCES

Gigi Sohn Appearances (Media and Public Statements—2013–2014)

Date	Headline	Source	Link
Jan 8, 2013	At CES, plenty of causes but no movement	Politico Pro	https://subscriber.politicopro.com/article/2013/01/at-ces-plenty-of-causes-but-no-movement-017786
Jan 9, 2013	CES 2013: Internet Lobby Discusses Potential Threats	Inc.com	http://www.inc.com/lindsay-blakely/ces-2013-internet-legislative-threats-beyond-sopa.html
Jan 10, 2013	Congress Will Take Up 'Son of SOPA,' Sohn Says	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=98891&BC=bc_63d14c46384a0
Jan 10, 2013	Will 2013 be the year copyright reformers hit back?	LXer	http://lxer.com/module/newsview/view/178996/index.html
Jan 15, 2013	Suicide makes for somber SOPA anniversary	Politico Pro	https://subscriber.politicopro.com/article/2013/01/suicide-makes-for-somber-sopa-anniversary-018006
Jan 17, 2013	The Next FCC Chair: Decisive Protector of the Public Interest	Huffington Post	https://www.huffpost.com/entry/the-next-fcc-chair-decisi_b_2483709
Jan 28, 2013	FCC might favor spectrum for Wi-Fi over wireless firms	The Columbus Dispatch	https://www.dispatch.com/story/business/information-technology/2013/01/28/fcc-might-favor-spectrum-for/24058551007/
Jan 29, 2013	No Telecom Rewrite in 113th Congress, says House Commerce Minority Chief Counsel	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=356977&BC=bc_63d14c46384a0
Jan 30, 2013	Anonymous attack: 'Good or bad hacking?'	Politico Pro	https://subscriber.politicopro.com/article/2013/01/anonymous-attack-good-or-bad-hacking-018619
Feb 5, 2013	Viral Story About Free Wi-Fi Spotlights Mostly Hidden Policy War (Syndicated in 28 additional pubs)	NPR	https://www.npr.org/sections/itsallpolitics/2013/02/05/171183700/viral-story-about-free-wifi-spotlights-mostly-hidden-policy-war
Feb 11, 2013	GOP looks to rebrand as new net freedom fighters (Syndicated in 1 additional pub)	Politico	http://www.politico.com/story/2013/02/gop-looks-to-rebrand-as-new-net-freedom-fighters-87441.html
Feb 12, 2013	FTC Should Recognize Its Limitations, Need for Education, Ohlhausen Says	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=71118&BC=bc_63d14c46384a0
Feb 26, 2013	Major ISPs, Content Owners Implement Copyright Alert System	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=584202&BC=bc_63d14c46384a0
Feb 28, 2013	Ramirez to Head FTC (Syndicated in 1 additional pub)	Broadcasting & Cable	https://www.nexttv.com/news/ramirez-head-ftc-61152
Feb 28, 2013	Ramirez brings patent, IP cred to FTC	Politico Pro	https://subscriber.politicopro.com/article/2013/02/ramirez-brings-patent-ip-cred-to-ftc-019719
Mar 1, 2013	Rosch, Lawmakers, Consumer Advocates Applaud News Ramirez to Lead FTC	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=84339&BC=bc_63d14c46384a0
Mar 4, 2013	ArtsWatch: P2P Music File-Sharing Still Declining	Grammy Magazine	https://www.grammy.com/news/artswatch-p2p-music-file-sharing-still-declining
Mar 11, 2013	Copyright Alert System Data Will Become Educational Resource, Group Official Says	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=221261&BC=bc_63d14c46384a0
Mar 21, 2013	For lawyers, the Supreme Court bar is vanity trip—The Times Herald (Syndicated in 132 additional pubs)	The Times Herald	http://www.timesherald.com/article/2013/0321/NEWS04/130329897/for-lawyers-the-supreme-court-bar-is-vanity-trip

Gigi Sohn Appearances (Media and Public Statements—2013–2014)—Continued

Date	Headline	Source	Link
Mar 22, 2013	FCC Chairman Had Trouble Pleasing Interest Groups, Industry	NPR	https://www.npr.org/2013/03/22/175072442/fcc-chairman-had-trouble-pleasing-interest-groups-industry
Mar 22, 2013	Backer of an Open Internet Steps Down as F.C.C. Chief	New York Times	https://www.nytimes.com/2013/03/23/business/fcc-chairman-announces-resignation.html
Mar 24, 2013	High-stakes decision on net neutrality looms for next FCC chairman	The Hill	http://thehill.com/blogs/hillicon-valley/technology/289975-net-neutrality-decision-looms-for-next-fcc-chief
Apr 10, 2013	The lawsuit over the FCC's open Internet order	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=154304&BC=bc_63d14c46384a0
Apr 26, 2013	Business Experience Critical for Next FCC Chairman, Shapiro Says	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=250323&BC=bc_63d14c46384a0
Apr 29, 2013	Obama expected to nominate telecom executive Tom Wheeler to chair FCC	The Washington Post	https://www.washingtonpost.com/business/technology/obama-to-nominate-telecom-executive-to-chair-fcc/2013/04/30/cbc7dc06-b1c6-11e2-baf7-5bc2a9dc6f44_story.html
Apr 29, 2013	Obama's New FCC Head is a Lobbyist. And That's OK. Why Tom Wheeler's appointment hasn't sparked outrage	New Republic	http://www.newrepublic.com/article/113081/tom-wheeler-obamas-new-fcc-head-lobbyist
Apr 29, 2013	Groups Already Weighing In on Wheeler Chairmanship	Benton Foundation	https://www.benton.org/headlines/groups-already-weighing-wheeler-chairmanship
Apr 29, 2013	Obama's New FCC Head is a Lobbyist. And That's OK.	New Republic	http://www.newrepublic.com/article/113081/obamas-new-fcc-head-tom-wheeler-lobbyist
Apr 30, 2013	Public Knowledge Statement on Tom Wheeler as Chair of the FCC	Public Knowledge	https://publicknowledge.org/public-knowledge-statement-on-tom-wheeler-as-chair-of-the-fcc/
Apr 30, 2013	You Should Care That Obama Is Going to Pick Tom Wheeler to Head the FCC (Syndicated in 2 additional pubs)	TruthDig	https://www.truthdig.com/articles/you-should-care-that-obama-is-going-to-pick-tom-wheeler-to-head-the-fcc/
Apr 30, 2013	Obama to nominate former telecom lobbyist to lead FCC (Syndicated in 18 additional pubs)	The Denver Post	http://www.denverpost.com/politics/ci_23141881/obama-nominate-former-telecom-lobbyist-lead-fcc
Apr 30, 2013	FCC nominee's lobbyist background cited by critics	Tribune-Review (AP)	http://triblive.com/usworld/nation/3941238-74/wheeler-industry-fcc
April 30, 2013	Sources: Wheeler to get Obama's FCC nod	Politico Pro	https://subscriber.politicopro.com/article/2013/04/sources-wheeler-to-get-obamas-fcc-nod-021604
April 30, 2013	Wheeler looks to make his mark at FCC	Politico Pro	https://subscriber.politicopro.com/article/2013/04/wheeler-looks-to-make-his-mark-at-fcc-021615
May 1, 2013	Lobbyists React to Wheeler Reports	Radio World	https://www.radioworld.com/news-and-business/lobbyists-react-to-wheeler-reports
May 1, 2013	Obama nominates former lobbyist Wheeler to lead FCC	The Hill	http://thehill.com/blogs/hillicon-valley/technology/297283-obama-nominates-former-lobbyist-wheeler-to-lead-fcc
May 1, 2013	Obama to nominate former telecom lobbyist to lead FCC (Syndicated in 2 additional pubs)	Daily Local News	http://www.dailylocal.com/article/20130501/NEWS04/130509976/obama-to-nominate-former-telecom-lobbyist-to-lead-fcc
May 1, 2013	White House names Tom Wheeler as next FCC chairman	CNET	http://news.cnet.com/8301-13578_3-57582394-38/white-house-names-tom-wheeler-as-next-fcc-chairman/
May 1, 2013	Obama to nominate former telecom lobbyist to lead FCC (Syndicated in 24 additional pubs)	The Trentonian	http://www.trentonian.com/article/20130501/NEWS04/130509978/obama-to-nominate-former-telecom-lobbyist-to-lead-fcc
May 2, 2013	Tom Wheeler, Former Lobbyist and Obama Fundraiser, Tapped to Lead FCC	Time Magazine	http://business.time.com/2013/05/02/tom-wheeler-former-lobbyist-and-obama-fundraiser-tapped-to-lead-fcc/
May 3, 2013	Best Hope for Privacy Protections in Cybersecurity Legislation, Says One Advocate	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=73785&BC=bc_63d14c46384a0
May 12, 2013	Should Congress Overturn the Net Neutrality Rules?	Wall Street Journal	https://www.wsj.com/articles/SB10001424127887324474004578447023953830666
May 17, 2013	FCC Pick Wheeler Will Sell AT&T, Verizon Stock, If Appointed	EWeek.com	http://www.eweek.com/mobile/fcc-pick-wheeler-will-sell-att-verizon-stock-if-appointed/
May 17, 2013	MetroPCS asks out of net neutrality challenge	Politico Pro	https://subscriber.politicopro.com/article/2013/05/metropcs-asks-out-of-net-neutrality-challenge-018108
May 20, 2013	How net neutrality regulations could undermine the open Internet	The Washington Post	https://www.washingtonpost.com/news/wonk/wp/2013/05/20/how-net-neutrality-regulations-could-undermine-the-open-internet/
May 20, 2013	MetroPCS Withdraws Legal Challenge to FCC Net Neutrality Rules	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=587167&BC=bc_63d14c46384a0

Gigi Sohn Appearances (Media and Public Statements—2013–2014)—Continued

Date	Headline	Source	Link
May 21, 2013	At FCC, Mignon Clyburn cracks the glass ceiling	Politico	http://www.politico.com/story/2013/05/mignon-clyburn/fcc-91639.html
Jun 5, 2013	FCC Will Lose Open Internet Case, Should Not Go Back to Title II, Say TWC, Public Knowledge Officials	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=74752&BC=bc_63d14c46384a0
Jun 5, 2013	Copyright Review Under the Microscope at World Creators Summit	Billboard.biz	http://www.billboard.com/biz/articles/news/publishing/1565717/copyright-review-under-the-microscope-at-world-creators-summit
Jun 6, 2013	Clarification: Public Knowledge President Gigi Sohn said (CD	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=187443&BC=bc_63d14c46384a0
Jun 7, 2013	Tech frets public outcry: Is my email still private?	Politico	http://www.politico.com/story/2013/06/nsa-prism-online-privacy-silicon-valley-92417.html
Jun 18, 2013	Limits on Creation, Distribution of Accessible E-books Debated in Visually Impaired Treaty Process	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=588124&BC=bc_63d14c46384a0
Jul 15, 2013	OVERNIGHT TECH: Walden proposes cap on Universal Service Fund	The Hill	http://thehill.com/blogs/hillicon-valley/technology/311149-overnight-tech-walden-proposes-cap-on-universal-service-fund
Jul 15, 2013	Pay-TV consolidation won't necessarily be good for consumers (Syndicated in 7 additional pubs)	Los Angeles Times	http://www.latimes.com/entertainment/envelope/column/la-et-ct-cable-tv-consolidation-malone-20130715,0,3708549.story
Jul 16, 2013	Ad Networks Agree to White House-Endorsed Best Practices for Infringing Sites	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=589014&BC=bc_63d14c46384a0
Jul 17, 2013	Still no signal on White House GOP nominee for FCC	Politico	http://www.politico.com/story/2013/07/wheeler-gop-nominee-fcc-94284.html
July 25, 2013	State of Wireline Communications	Senate Commerce Committee	https://www.commerce.senate.gov/services/files/C5B12974-F5D6-48F9-99DC-2854DF0C2F7
Jul 26, 2013	Call Completion, IP Transition Rules Debated by Senate Panel	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=245655&BC=bc_63d14c46384a0
Aug 5, 2013	September Vote a Possibility on Wheeler, O'Rielly Nominations	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=71660&BC=bc_63d14c46384a0
Aug 9, 2013	FCC puts cap on prison phone rates	CNet	https://www.cnet.com/tech/tech-industry/fcc-puts-cap-on-prison-phone-rates/
Aug 9, 2013	FCC approves rules to reform prison phone rates	The Washington Post	http://www.washingtonpost.com/business/technology/fcc-approves-rules-to-reform-prison-phone-rates/2013/08/09/1f7ac512-010d-11e3-9711-3708310f64dstory.html
Aug 9, 2013	FCC limits price of prison phone calls	The Hill	http://thehill.com/blogs/hillicon-valley/technology/316371-fcc-limits-price-of-prison-phone-calls
August 12, 2013	FCC Votes 2–1 to Cap Interstate Prison Phone Rates as Pai Dissents	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=82353&BC=bc_63d14c46384a0
Sep 6, 2013	Net neutrality goes on trial	The Hill	http://thehill.com/blogs/hillicon-valley/technology/320831-net-neutrality-goes-on-trial
Sep 9, 2013	The Communicators: Regulation of Open Internet Access	C-SPAN	https://www.c-span.org/video/?314969-1/regulation-open-internet-access
Sep 9, 2013	LEAKED: The Internet Must Go Basic Internet Economics At Stake	Mockumentary	https://youtube/Pp1MAMkLaA?t=601
Sep 9, 2013	In Net Neutrality Suit	NPR	https://www.npr.org/templates/story/story.php?storyId=220769249
Sep 9, 2013	Verizon, FCC Go To Court Over Net Neutrality	NPR	https://www.npr.org/2013/09/09/220586225/verizon-fcc-go-to-court-over-net-neutrality
Sep 9, 2013	NCTA: We Won't Block Court Decision on FCC's Open Internet Order	Broadcasting & Cable	https://www.nexttv.com/news/ncta-we-wont-block-court-decision-fccs-open-internet-order-123677
Sep 11, 2013	AT&T revamp of LTE network will help customers switch to small carriers (Syndicated in 1 additional pub)	Ars Technica	http://arstechnica.com/information-technology/2013/09/att-revamp-of-lte-network-will-help-customers-switch-to-small-carriers/
Sep 28, 2013	Downloading Is Mean! Content Industry Drafts Anti-Piracy Curriculum for Elementary Schools	WIRED	https://www.wired.com/2013/09/mpaa-school-propaganda/
Oct 14, 2013	On a New Jersey Islet, Twilight of the Landline	New York Times	https://www.nytimes.com/2013/10/15/technology/on-a-new-jersey-islet-twilight-of-the-landline.html
Oct 29, 2013	Reaction Rolls In On New FCC Members	Multichannel News	https://www.nexttv.com/news/reaction-rolls-new-fcc-members-262654
Oct 29, 2013	Interim FCC chief Clyburn put focus on consumers and the poor	The Washington Post	http://www.washingtonpost.com/business/technology/interim-fcc-chief-clyburn-put-focus-on-ordinary-consumers/2013/10/30/77b0072c-4192-11e3-8b74-d89d714ca4ddstory.html
Oct 29, 2013	Wheeler confirmed as head of FCC (Syndicated in 21 additional pubs)	USA Today	http://www.usatoday.com/story/tech/2013/10/29/tom-wheeler-confirmed-fcc-chairman/3309333/

Gigi Sohn Appearances (Media and Public Statements—2013–2014)—Continued

Date	Headline	Source	Link
Nov 4, 2013	Public interest advocate Gigi Sohn named to FCC Chairman Wheeler's staff	Radio Survivor	https://www.radiosurvivor.com/2013/11/public-interest-advocate-gigi-sohn-named-to-fcc-chairman-wheeler-s-staff/
Nov 9, 2013	Patrick Leahy: Pot's Savior And Hollywood's Hero	Mint Press News	http://www.mintpressnews.com/patrick-leahy/172366/
Nov 9, 2013	Sohn declined comment for this story.	Ars Technica	https://arstechnica.com/tech-policy/2013/11/new-fcc-chair-was-industry-lobbyist-but-might-not-be-industry-shill/
Dec 9, 2013	FCC Process Reform Unlikely to Lead to Bureau Restructuring, Says Wheeler's Staff	Communications Daily	https://communicationsdaily.com/article/view?search_id=635991&p=1&id=218390&BC=bc_63d14c46384a0
Jan 17, 2014	Whether to Appeal Net Neutrality Order a Big Decision for Wheeler	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=594917&BC=bc_63d1596d78d6f
Jan 17, 2014	FCC 'Dedicated' to Meeting President's E-rate Goals, Wheeler Tells MMTC	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=594921&BC=bc_63d1596d78d6f
February 5, 2014	Twitter Town Hall with Gigi Sohn: A Fast, Fair & Open Internet	Twitter/FCC	https://www.fcc.gov/news-events/events/2015/02/twitter-town-hall-with-gigi-sohn-a-fast-fair-open-internet
February 12, 2014	Issues Need to Be Resolved Before Copper Wire Service Goes Away, Says FCC's Simpson Wheeler Said Not to Be Negotiating With Republicans on Net Neutrality, Incentive Auction	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=221741&BC=bc_63d1596d78d6f
May 14, 2014	Net neutrality ads appear in Washington ahead of FCC vote Wheeler Riles Jello Biafra as FCC Sets Web-Fast Lane Vote	BBC News	http://www.bbc.co.uk/news/technology-27405390
May 14, 2014	Is Internet Access a Public Utility, Like Water or Gas?	NBC News	https://www.nbcnews.com/tech/internet/internet-access-public-utility-water-or-gas-n105181
May 15, 2014	FCC Gives Initial OK To New Internet Traffic Rules	NPR	https://www.npr.org/sections/thetwo-way/2014/05/15/312727369/fcc-approves-new-internet-rules-comment-period-opens
May 15, 2014	FCC votes to adopt new net neutrality proposal	The Verge	http://www.theverge.com/2014/5/15/5717928/fcc-votes-on-net-neutrality-proposal-in-may-meeting
May 19, 2014	The FCC's ejection of three protesters from Thursday's	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=598970&BC=bc_63d1596d78d6f
June 30, 2014	FCC Chairman Tom Wheeler, himself a former venture	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=600467&BC=bc_63d1596d78d6f
June 30, 2014	Answers to Common Questions about the E-Rate Modernization Proposal to Get Wi-Fi in ALL Schools and Libraries	FCC	https://www.fcc.gov/news-events/blog/2014/06/30/answers-common-questions-about-e-rate-modernization-proposal-get-wi-fi
July 14, 2014	Net neutrality debate hits first deadline—with more to come	Politico Pro	https://subscriber.politicopro.com/article/2014/07/net-neutrality-debate-hits-first-deadline-with-more-to-come-036187
July 14, 2014	FCC Receives More Than 677,000 Comments on Net Neutrality Proposal	Variety	https://variety.com/2014/biz/news/fcc-net-neutrality-comment-deadline-1201262331/
July 15, 2014	Huge Volume of Comments Send FCC Clear Message, Net Neutrality Advocates Say	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=601104&BC=bc_63d1596d78d6f
July 17, 2014	FCC: Over 1 million comments have now been filed on net neutrality	The Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2014/07/17/fcc-over-1-million-comments-have-now-been-filed-on-net-neutrality/
July 18, 2014	Net Neutrality comments to FCC surpass million mark	New York Post	https://nypost.com/2014/07/18/net-neutrality-comments-to-fcc-surpass-million-mark/
July 18, 2014	Net Neutrality Comments Surge Past Million; Will Anybody Read Them?	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=197169&BC=bc_63d1596d78d6f
Jul 21, 2014	1 Million Net Neutrality Comments Filed, But Will They Matter? (Syndicated in 146 additional pubs)	NPR	https://www.npr.org/sections/alltech/2014/07/21/332678802/one-million-net-neutrality-comments-filed-but-will-they-matter
Aug 5, 2014	FCC making net neutrality comments more accessible	Politico Pro	https://subscriber.politicopro.com/article/2014/08/fcc-making-net-neutrality-comments-more-accessible-038331
Aug 5, 2014	The FCC invites you to read 1.4 GB of net neutrality comments	The Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2014/08/05/the-fcc-invites-you-to-read-1-4-gb-of-net-neutrality-comments/
Aug 6, 2014	The FCC is making more than 1.1 million	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=602008&BC=bc_63d1596d78d6f
Aug 20, 2014	The Home Video Prince Doesn't Want You to See	ABCNews.com	http://abcnews.go.com/TheLaw/home-video-prince/story?id=3777651

Gigi Sohn Appearances (Media and Public Statements—2013–2014)—Continued

Date	Headline	Source	Link
Sep 20, 2014	Opponents of Internet Regulation Flip the Script	Stories in the News	http://www.sitnews.us/PhilKerpen/092014_phil_kerpen.html
Oct 14, 2014	FCC releases net neutrality comments in a zipped file, encourages analysis of comments	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=626920&BC=bc_63d1596d78d6f
Nov 12, 2014	House Communications Subcommittee Schedules Dec. 10 Net Neutrality Hearing	Broadcasting & Cable	http://www.broadcastingcable.com/news/washington/house-communications-subcommittee-schedules-dec-10-net-neutrality-hearing/135583
Nov 12, 2014	The Ongoing Debate Over Net Neutrality	The Diane Rehm Show	https://dianerrehm.org/shows/2014-11-12/the_ongoing_debate_over_net_neutrality
Nov 12, 2014	Wheeler aide: FCC is independent agency 'not bound' by Obama net neutrality stance	Politico Pro	https://subscriber.politicopro.com/article/2014/11/wheeler-aide-fcc-is-independent-agency-not-bound-by-obama-net-neutrality-stance-043700
Nov 14, 2014	Redefining MVPD to Include OTT Will Receive Bipartisan, 'Bi-industry' Support, Sohn Says	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=60189&BC=bc_63d1596d78d6f
Dec 3, 2014	ArtsWatch: Internet.org Takes On The World	Grammy Magazine	https://www.grammy.com/news/artswatch-internetorg-takes-on-the-world
Dec 3, 2014	ArtsWatch: P2P Music File-Sharing Still Declining	Grammy Magazine	https://www.grammy.com/news/artswatch-p2p-music-file-sharing-still-declining
Dec 23, 2014	Error forces FCC to rerelease open Internet comments	FedScoop	http://fedscoop.com/fcc-net-neutrality-comments-2/
Dec 29, 2014	FCC Officials Explain Glitch in Release of Net Neutrality Comments	Communications Daily	https://communicationsdaily.com/article/view?search_id=636011&p=1&id=632291&BC=bc_63d1596d78d6f

Gigi Sohn Appearances (Media and Public Statements—2015–2020)

Date	Headline	Source	Link
Feb. 5, 2015	The Communicators: FCC & Open Internet Rules	C-Span	https://www.c-span.org/video/3224180-1/communicators-gigi-sohn
Feb 6, 2015	Pai: 'I wish the public could see' Wheeler's net neutrality plan	POLITICO	https://subscriber.politicopro.com/article/2015/02/pai-i-wish-the-public-could-see-wheeler-s-net-neutrality-plan-048044
Feb 6, 2015	House Oversight Committee Signals Investigation of Title II Order	Multichannel News	https://www.nexttv.com/news/house-oversight-committee-signals-investigation-title-ii-order-137805
Feb 6, 2015	House Oversight Committee To Investigate White House Role In FCC Net Neutrality Plan	The Daily Caller	http://dailycaller.com/2015/02/06/house-oversight-committee-to-investigate-white-house-role-in-fcc-net-neutrality-plan/
February 6, 2015	Oversight puts White House net neutrality moves under microscope	POLITICO	https://subscriber.politicopro.com/article/2015/02/oversight-puts-white-house-net-neutrality-moves-under-microscope-043566
February 6, 2015	Twitter Town Hall	Twitter/FCC	http://fcc.fcc.gov/2015/02/06/twitter-town-hall
Feb 7, 2015	FCC head: Hero or puppet?	The Hill	http://thehill.com/policy/technology/232067-from-dingo-to-web-savior-the-evolution-of-tom-wheeler
Feb 10, 2017	The FCC Is Divided On Net Neutrality And Title II	The Escapist	https://www.escapistmagazine.com/the-fcc-is-divided-on-net-neutrality-and-title-ii/
Feb 17, 2015	FCC official: Chairman no 'lapdog' for Obama (Syndicated in 1 additional pub)	The Hill	http://thehill.com/policy/technology/232972-fcc-official-chairman-no-lapdog-for-obama
Feb 23, 2015	Conservative FCC commissioners ask Wheeler to delay net neutrality vote	The Verge	http://www.theverge.com/2015/2/23/8091389/fcc-commissioner-pai-orielly-net-neutrality-vote-delay
Feb 27, 2015	Net Neutrality to Face Lawsuits, Congressional Investigations	Washington Free Beacon	http://freebeacon.com/issues/net-neutrality-to-face-lawsuits-congressional-investigations/
Mar 3, 2015	FCC official says Google, Facebook had little say on net neutrality (Syndicated in 1 additional pub)	GigaOM	https://gigaom.com/2015/03/03/fcc-official-says-google-facebook-had-little-say-on-net-neutrality/
Mar 4, 2015	Wheeler aide makes net neutrality case at cable conference	POLITICO	https://subscriber.politicopro.com/article/2015/03/wheeler-aide-makes-net-neutrality-case-at-cable-conference-049459
Mar 5, 2015	NGMN finalizes 5G white paper; C-RAN market to near \$5B in five years, report says	FierceElectronics	https://www.fiercewireless.com/tech/ngmn-finalizes-5g-white-paper-c-ran-market-to-near-5b-five-years-report-says
Mar 16, 2015	Gigi Sohn going over legilies (SXSW)	SXTX State	https://www.youtube.com/watch?v=4PhS52Mjg6s
Mar 16, 2015	Gigi Sohn goes talks specifically of FCC decision (SXSW)	SXTX State	https://www.youtube.com/watch?v=v_JVjPQvrde
Mar 16, 2015	Gigi Sohn and the future of the Internet (SXSW)	SXTX State	https://www.youtube.com/watch?v=8dJ2Dpndu24
Mar 16, 2015	Gigi Sohn on the SXSW Panel on Net Neutrality	SXTX State	https://www.youtube.com/watch?v=U7h8XH_RHSQ&t=6s
Apr 2, 2015	Shari Steele: A Legacy of Digital Rights	EFF	https://www.eff.org/deeplinks/2015/04/shari-steele-legacy-digital-rights
Apr 17, 2015	Net neutrality wars: Telcos battle back	InfoWorld	http://www.infoworld.com/article/2910269/government/net-neutrality-wars-telcos-battle-back.html

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Apr 30, 2015	APNewsBreak: DHS finds suspected phone spying in Washington	The Columbian	https://www.columbian.com/news/2018/04/30/apnewsbreak-dhs-finds-suspected-phone-spying-in-washington/
Jun 26, 2015	Westminster demonstrates speed of fiber network	Carroll County Times	http://www.carrollcountytimes.com/news/local/ph-cc-fiber-lighting-ceremony-20150626-story.html
Sep 15, 2015	Net neutrality is under threat from the FCC: What it is, and how we got here (Syndicated in 150 additional pubs)	Digital Trends	http://www.digitaltrends.com/web/net-neutrality-timeline/
Sep 22, 2015	A Conversation with Gigi Sohn: What the Future Holds for Local Governments	NATOAHQ1	https://www.youtube.com/watch?v=NrFSrclU-zE
Sep 24, 2015	Remarks of Gigi B. Sohn, Counselor to FCC Chairman Wheeler, 4th Annual Professor Anthony J. Santoro Business Law Lecture Series in Providence, Rhode Island	Personal Website	https://gigisohn.com/speaking/consumer-protection-in-the-broadband-era-the-role-of-the-fcc/
Dec 31, 2015	The heroes who saved the Internet in 2015	Daily Dot	https://www.dailyydot.com/debug/internet-freedom-heroes-2015/
Mar 23, 2016	Overnight Tech: Charter-Time Warner Cable merger review nears end	The Hill	http://thehill.com/policy/technology/overnights/274113-overnight-tech-merger-clock-for-charter-time-warner-cable-deal
Mar 24, 2016	Public interest groups, industry apprehensive of FCC Lifeline standards	POLITICO	https://subscriber.politicopro.com/article/2016/03/public-interest-industry-apprehensive-of-fcc-lifeline-standards-103304
Mar 24, 2016	FCC vote could help close 'homework gap'	EdScoop	https://edscoop.com/fcc-vote-could-help-close-homework-gap/
Apr 12, 2016	Gigi Sohn Lays Out FCC Agenda	Light Reading Video	https://www.youtube.com/watch?v=J6tIhgubWHY
May 18, 2016	Remarks of Gigi B. Sohn, Counselor to the Chairman Federal Communications Commission at Net Inclusion	Gigi Sohn	https://gigisohn.com/speaking/remarks-at-net-inclusion-the-national-digital-inclusion-summit/
May 29, 2016	PopPolitics: Trump and the Politics of Mass Distraction	Variety	https://variety.com/2016/biz/news/donald-trump-joe-mantegna-memorial-day-1201785217/
Jul 13, 2016	SHLB Unveils Broadband Action Plan	Multichannel News	https://www.nexttv.com/news/shlb-unveils-action-plan-next-gen-broadband-158010
Jul 19, 2016	New plan advocates gigabit broadband's arrival in schools (Syndicated in 4 additional pubs)	ESchool News	http://www.eschoolnews.com/2016/07/19/180779/
Oct 18, 2016	Remarks of Gigi B. Sohn, Counselor to Chairman Tom Wheeler Federal Communications Commission, on 'The Future of Local Internet Choice'	Gigi Sohn	https://gigisohn.com/speaking/the-future-of-local-internet-choice/
Nov 16, 2016	Tech huddles today to figure out approach to Trump	POLITICO	https://subscriber.politicopro.com/newsletter/2016/11/tech-huddles-today-to-figure-out-approach-to-trump-020152
Nov 30, 2016	FCC's Gigi Sohn cautions against excessive deregulation	POLITICO	https://subscriber.politicopro.com/article/2016/11/fccs-gigi-sohn-cautions-against-excessive-deregulation-080379
Dec 27, 2016	POLITICO Pro Q&A: FCC Counselor to the chairman Gigi Sohn	POLITICO	https://subscriber.politicopro.com/article/2016/12/politico-pro-q-a-fcc-counselor-gigi-sohn-141212
Jan 12, 2017	AT&T Chief Visits Trump With Time Warner Deal Looming Large	New York Times	https://www.nytimes.com/2017/01/12/business/donald-trump-att-time-warner-deal.html
Jan 23, 2017	Communicators and the State of the Net Conference, Part 1	CSPAN	https://www.c-span.org/video/?422377-1/communicators-state-net-conference
Jan 25, 2017	The U.S. Without Net Neutrality: How An Internet Nightmare Unfolds	Vocativ	http://www.vocativ.com/393982/net-neutrality-nightmare/
Jan 26, 2017	Verizon Seen Winning Approval for Charter With Trump in Power	Bloomberg	https://www.bloomberg.com/news/articles/2017-01-26/verizon-seen-winning-approval-for-charter-with-trump-in-power
Jan 27, 2017	Google, in post-Obama era, aggressively woos Republicans	New York Times	https://www.nytimes.com/2017/01/27/technology/google-in-post-obama-era-aggressively-woos-republicans.html
Jan 29, 2017	Google, in post-Obama era, aggressively woos Republicans	The Boston Globe	http://www.bostonglobe.com/business/2017/01/29/google-post-obama-era-aggressively-woos-republicans/rkQXuf2gZu8tCs5GtJK/story.html
Jan 30, 2017	The Communicators: Coverage of State of the Net	CSPAN	https://archive.org/details/CSPAN20170130_133000_Senator_John_Thune_Addresses_State_of_the_Net_Conference_start/1380/end/1440
Jan 30, 2017	Google aggressively woos Republicans in post-Obama era	The Business Times	https://www.businessstimes.com.sg/startups-tech/technology/google-aggressively-woos-republicans-post-obama-era

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Feb 4, 2017	Why Comcast's new Roku app fee will infuriate you	CNET News	https://www.cnet.com/tech/services-and-software/comcast-roku-app-fee-set-top-box/
Feb 9, 2017	Defending the Indefensible: Chairman Pai's Lifeline Reversal Will Widen the Digital Divide	Benton Institute for Broadband and Society	https://www.benton.org/blog/Defending-the-Indefensible
Feb 14, 2017	Meet the man who'll dismantle net neutrality 'with a smile'	CNET News	https://www.cnet.com/news/fcc-chairman-ajit-pai-dismantle-net-neutrality-with-a-smile/
Feb 17, 2017	New FCC Chairman Moves Quickly To Reverse Obama Policies	NPR	https://www.npr.org/2017/02/17/515841076/new-fcc-chairman-moves-quickly-to-reverse-obama-policies
Feb 22, 2017	First Lifeline, Now Broadband Program for Schools and Libraries in the FCC's Crosshairs	Benton Institute for Broadband and Society	https://www.benton.org/blog/first-lifeline-now-e-rate-fccs-crosshairs
Mar 1, 2017	Net neutrality is two years old this week—and Republicans still want to kill it	The Verge	http://www.theverge.com/2017/3/1/14756064/net-neutrality-second-anniversary-under-assault
Mar 2, 2017	Real net neutrality is rooted in Title II	Axios	https://wwwaxios.com/2017/12/15/real-net-neutrality-is-rooted-in-title-ii-1513300706
Mar 2, 2017	U.S. Senate to America: Yes, we'll let Internet providers pimp out your personal data	Mashable	http://mashable.com/2017/03/23/senate-voted-to-let-internet-providers-collect-and-sell-your-data/
Mar 5, 2017	New fight erupts over Internet privacy	The Hill	http://thehill.com/policy/technology/322324-new-fight-erupts-over-internet-privacy
Mar 7, 2017	Trump's New FCC Chief Is on a Mission to Radically Revise Agency's Policies	Variety	http://variety.com/2017/biz/news/ajit-pai-new-fcc-chairman-trump-1202002993/
Mar 9, 2017	Should Congress Overturn the Net Neutrality Rules?	Wall Street Journal	https://www.wsj.com/articles/SB10001424127887324474004578447023953830666
Mar 20, 2017	In New York, bringing broadband to everyone by 2018	The Daily Gazette	https://dailygazette.com/article/2017/03/20/in-new-york-bringing-broadband-to-everyone-by-2018
Mar 22, 2017	How Mignon Clyburn, the FCC's Lone Democrat, Is Fighting to Save Net Neutrality	VICE	https://www.vice.com/en/article/mg4wv3/how-mignon-clyburn-the-fccs-lone-democrat-is-fighting-to-save-net-neutrality
Mar 23, 2017	U.S. Senate to America: Yes, we'll let Internet providers pimp out your personal data	Yahoo Finance	https://ca.finance.yahoo.com/news/u-senate-america-yes-ll-170954878.html
Mar 28, 2017	Republicans Set To Kill Rules Banning Internet Providers From Sharing Your Web History	True Viral News	http://trueviralnews.com/republicans-set-to-kill-rules-banning-internet-providers-from-sharing-your-web-history/
Mar 28, 2017	Devin Nunes Would Just Like To Get Back To His Underwhelming Congressional Career, Thanks	The Huffington Post	http://www.huffingtonpost.com/entry/devin-nunes-would-just-like-to-get-back-to-his-underwhelming-congressional-career-thanks_us_58dadbf5e4b1ca7b427cf4f
Mar 28, 2017	Republicans voted to roll back landmark FCC privacy rules. Here's what you need to know.	Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2017/03/28/republicans-are-poled-to-roll-back-landmark-fcc-privacy-rules-heres-what-you-need-to-know/
Mar 28, 2017	Congress Just Gave Internet Providers the Green Light to Sell Your Browsing History Without Consent	Gizmodo	https://gizmodo.com/congress-just-gave-internet-providers-the-green-light-t-1793698939
Mar 28, 2017	You have just hours to stop Congress from giving away your web browsing history/Time to make some calls	The Verge	https://www.theverge.com/2017/3/27/15073162/fcc-broadband-internet-privacy-rules-congress-vote
Mar 29, 2017	Congress Online Privacy InsideHook	InsideHook	http://www.insidehook.com/nation/what-you-should-know-about-the-current-state-of-online-privacy
Mar 29, 2017	Democrats want to make GOP pay for attacking Internet rules	Politico	http://www.politico.com/story/2017/03/online-privacy-democrats-net-neutrality-236669
Mar 30, 2017	FTC Could Regain ISP Privacy Oversight, But It Won't Be Easy	Advertising Age	https://adage.com/article/privacy-and-regulation/fcc-regain-isp-privacy-oversight-easy/308487
Mar 30, 2017	FTC Could Regain ISP Privacy Oversight, But It Won't Be Easy	AdAge India	http://adage.com/article/privacy-and-regulation/fcc-regain-isp-privacy-oversight-easy/308487/
Mar 30, 2017	GOP faces backlash over attack on Internet privacy rules	The Hill	http://thehill.com/policy/technology/326631-gop-faces-backlash-over-attack-on-internet-privacy-rules
Mar 30, 2017	Republicans voted to destroy online privacy, but can they defend it to voters?	Daily Kos	http://www.dailykos.com/story/2017/03/30/1648682/-republicans-voted-to-destroy-online-privacy-but-can-they-defend-it-to-voters
Mar 30, 2017	In Turnabout, FCC Mulls Broadband Deregulation Sought by AT&T (Syndicated in 4 additional pubs)	Bloomberg	https://www.bloomberg.com/politics/articles/2017-03-30/in-turnabout-fcc-mulls-broadband-deregulation-sought-by-at-t

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Mar 30, 2017	Democrats want to make GOP pay for attacking Internet rules	True Viral News	http://trueviralnews.com/democrats-want-to-make-gop-pay-for-attacking-internet-rules/
Mar 31, 2017	Can states protect your Internet browsing history from being sold?	WSTP	https://www.wstp.com/article/news/can-states-protect-your-internet-browsing-history-from-being-sold/67-426872474
Mar 31, 2017	GOP faces backlash over attack on Internet privacy rules	True Viral News	http://trueviralnews.com/gop-faces-backlash-over-attack-on-internet-privacy-rules/
Apr 1, 2017	The Heroes Who Saved the Internet in 2015	Daily Dot	https://gigisohn.com/news/daily-dot-the-heroes-who-saved-the-internet-in-2015/
Apr 1, 2017	Why the White House Is in for a Fight When It Comes to Repealing Net Neutrality	Yahoo! Finance	http://finance.yahoo.com/news/why-white-house-fight-comes-repealing-net-neutrality-170054005.html
Apr 1, 2017	“WILL JUSTICE DEPARTMENT LAWSUIT STOP THE AT&T MERGER?”	MSNBC	https://www.msnbc.com/the-ed-show/watch/will-justice-department-lawsuit-stop-the-at-t-merger-43907651787
Apr 1, 2017	The Next FCC Chair: Decisive Protector of the Public interest	Huffington Post	https://gigisohn.com/writing/huffington-post-the-next-fcc-chair-decisive-protector-of-the-public-interest/
Apr 1, 2017	Why the White House Is in for a Fight When It Comes to Repealing Net Neutrality	Variety	http://variety.com/2017/biz/news/donald-trump-net-neutrality-fight-privacy-stephen-colbert-1202020419/
Apr 1, 2017	Universal/EMI Deal Would Harm Music Fans and Musicians	Billboard	https://gigisohn.com/writing/billboard-universalemi-deal-would-harm-music-fans-musicians/
Apr 1, 2017	Telecoms celebrate spring thaw in D.C. (Syndicated in 24 additional pubs)	Bloomberg	https://www.bloomberg.com/news/articles/2017-03-31/telecoms-celebrate-spring-thaw-in-washington-as-gop-scrapes-rules
Apr 2, 2017	Protecting your online privacy after FCC rule roll back	Tri-County Sun Times	http://thevillagesuntimes.com/2017/04/02/protecting-your-online-privacy-after-fcc-rule-roll-back/
Apr 3, 2017	Even Trump Voters Hate This Bill He Just Signed	The Huffington Post	http://www.huffingtonpost.com/entry/trump-online-privacy-poll_us_58295e7e4b0f4a923b0d94a7rj&ncid=inblnkushpmg00000009
Apr 3, 2017	Hardly Anyone Wants Trump To Sign Bill Undoing Online Privacy Rules: Poll	The Huffington Post	http://www.huffingtonpost.com/entry/trump-online-privacy-poll_us_58295e7e4b0f4a923b0d94a7cm&ncid=inblnkushpmg00000009
Apr 3, 2017	FCC reverses Obama rule that fostered cable competition (Syndicated in 11 additional pubs)	VentureBeat	https://venturebeat.com/2017/04/03/fcc-reverses-obama-rule-that-fostered-cable-competition/
Apr 3, 2017	FCC limits order on Charter extending broadband service	Reuters	https://www.reuters.com/article/cbusness-usa-charter-idCAKBN1751LQ-OCABS
Apr 3, 2017	Week ahead in tech: Internet privacy repeal awaits Trump signature	The Hill	http://thehill.com/policy/technology/326747-week-ahead-tech-privacy-repeal-awaits-trump-signature
Apr 4, 2017	How will new law blocking Internet privacy rules affect you?	PBS	https://www.pbs.org/video/how-will-new-law-blocking-internet-privacy-rules-affect-you-1498525608/
Apr 6, 2017	Midday open thread: City, state coalition fights Trump on Clean Power Plan; selling guns to Bahrain	Daily Kos	http://www.dailkos.com/story/2017/4/6/1650724/Midday-open-thread-City-state-coalition-fights-Trump-on-Clean-Power-Plan-selling-guns-to-Bahrain
Apr 6, 2017	Internet Activists Plot 2018 Electoral Revenge Against Republican Privacy Sellouts	VICE	https://www.vice.com/en/article/z49da8/internet-activists-plot-2018-electoral-revenge-against-republican-privacy-sellouts
Apr 7, 2017	GOP Said Moving Toward ‘Unenforceable’ Version of Net Neutrality (Syndicated in 5 additional pubs)	Bloomberg	https://www.bloomberg.com/news/articles/2017-04-07/gop-said-moving-toward-unenforceable-version-of-net-neutrality
Apr 12, 2017	Internet giants roar back against net neutrality teardown	CNET News	https://www.cnet.com/news/internet-giants-roar-back-against-net-neutrality-teardown/
Apr 13, 2017	Internet privacy fight enters new phase	The Hill	http://thehill.com/policy/technology/328589-internet-privacy-fight-enters-new-phase
Apr 26, 2017	Consumers and innovators will lose if we kill net neutrality	Mashable	https://mashable.com/article/net-neutrality-consumers-and-innovators-will-lose
Apr 26, 2017	Trump’s FCC chair just declared war on Obama’s net neutrality rules	VOX	http://www.vox.com/new-money/2017/4/26/15436104/network-neutrality-gift-pai
Apr 27, 2017	Trump’s FCC Chair Wants To Gut Net Neutrality. He’s In For A Bruising Fight. (Syndicated in 3 additional pubs)	Huffington Post India	http://www.huffingtonpost.in/2017/04/27/trumps-fcc-chair-wants-to-gut-net-neutrality-hes-in-for-a-bruising-fight_122059218/
May 1, 2017	Wolerton: FCC chairman misleads in effort to destroy net neutrality (Syndicated in 11 additional pubs)	Silicon Valley.com	http://www.siliconvalley.com/2017/05/01/wolerton-fcc-chairman-misleads-in-effort-to-destroy-net-neutrality/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
May 3, 2017	The Long Fight for the Future of the Internet	The Ringer	https://theringer.com/the-long-fight-for-the-future-of-the-internet-3c88ccc19e45?source=rss_-9ff9e6a35705...4&gi=1c1d72b72ae2
May 5, 2017	Trump administration sends mixed messages on big media	CNN	https://money.cnn.com/2017/11/21/technology/trump-doj-fcc-att/index.html
May 8, 2017	FCC chairman's net neutrality fix: 'Clinton-era light touch'	CNET.com	https://www.cnet.com/news/fcc-chairmans-net-neutrality-answer-clinton-era-light-touch/
May 8, 2017	Troy Wolverton: FCC chair Ajit Pai set on destroying net neutrality	The Columbus Dispatch	https://www.dispatch.com/story/business/2017/05/08/troy-wolverton-fcc-chair-ajit/21097004007/
May 9, 2017	FCC chairman's first 100 days: full steam ahead on slashing regulations	Politico	http://www.politico.com/story/2017/05/09/fcc-chairmans-first-100-days-full-steam-ahead-on-slashing-regulations-238153
May 11, 2017	Pro-net neutrality group skeptical of FCC cyber attack claim	The Hill	http://thehill.com/policy/technology/332900-charges-against-the-fcc-heat-up
May 15, 2017	Q&A: The Fight to Save a Free and Open Internet	Open Society Foundation	https://www.opensocietyfoundations.org/voices/qo-fight-save-net-neutrality
May 17, 2017	Ajit Pai's dream of killing net neutrality may soon turn into a nightmare	VICE News	https://news.vice.com/story/fcc-commissioner-ajit-pai-dream-of-killing-net-neutrality-may-turn-into-nightmare
May 17, 2017	Are net neutrality supporters wasting their time by filing comments at the FCC? (Syndicated in 5 additional pubs)	The Baltimore Sun	http://www.baltimoresun.com/la-fi-net-neutrality-fcc-20170517-story.html
May 17, 2017	Ajit Pai's dream of killing net neutrality may soon turn into a nightmare	VICE	https://www.vice.com/en/article/wjzae9/fcc-commissioner-ajit-pai-dream-of-killing-net-neutrality-may-turn-into-nightmare
May 17, 2017	FCC votes to dismantle net neutrality as critics cry war on open internet	The Guardian	https://www.theguardian.com/technology/2017/may/18/net-neutrality-vote-fcc-open-internet
May 18, 2017	Obama Administration's Internet Regs Suffer First Huge Blow	The Libertarian Republic	http://thelibertarianrepublic.com/obama-administrations-internet-regulations-suffer-first-huge-blow/
May 18, 2017	FCC's Net Neutrality Vote Gets Blowback From Title II Fans	Multichannel News	https://www.nexttv.com/news/fccs-net-neutrality-vote-gets-blowback-title-ii-fans-165955
May 18, 2017	Obama Administration's Internet Regs Suffer First Huge Blow	Daily Caller News Foundation	http://dailycallernewsfoundation.org/2017/05/18/obama-administrations-internet-regulations-suffer-first-huge-blow/
May 18, 2017	FCC votes to dismantle net neutrality as critics cry war on open internet	The Guardian	https://www.theguardian.com/technology/2017/may/18/net-neutrality-vote-fcc-open-internet
May 18, 2017	FCC Starts Clock on Undoing Obama-Era Net Neutrality Rules	Morning Consult	https://morningconsult.com/2017/05/18/fcc-starts-clock-undoing-obama-era-net-neutrality-rules/
May 18, 2017	Obama Administration's Internet Regs Suffer First Huge Blow	The Daily Caller	http://dailycaller.com/2017/05/18/obama-administrations-internet-regulations-suffer-first-huge-blow/
May 18, 2017	FCC's Net Neutrality Vote Gets Blowback From Title II Fans	Broadcasting & Cable	http://www.broadcastingcable.com/news/washington/fccs-net-neutrality-vote-gets-blowback-title-ii-fans/165955
May 18, 2017	FCC Set to Move on Net Neutrality Changes Amid Outcry	Bloomberg BNA	https://news.bloombergbna.com/tech-and-telecom-law/fcc-set-to-move-on-net-neutrality-changes-amid-outcry
May 18, 2017	Public unlikely to sway FCC on keeping Internet fair, open (Syndicated in 3 additional pubs)	The Recorder	http://www.recorder.com/Public-unlikely-to-sway-FCC-on-internet-on-keeping-internet-free-and-open-10158896
May 18, 2017	It's official: the FCC has started rolling back net neutrality protections	Vox	https://www.vox.com/new-money/2017/5/18/15658926/fcc-vote-net-neutrality
May 19, 2017	Here's how Trump's FCC affects you (Syndicated in 172 additional pubs)	CNNMoney	http://money.cnn.com/2017/05/19/technology/fcc-policies/index.html
May 22, 2017	How Advertisers Could Be Hurt if Net Neutrality Dies	Advertising Age	http://adage.com/article/privacy-and-regulation/advertisers-hurt-net-neutrality-dies/309123
Jun 3, 2017	Trump's FCC head gets another term after outcry	CNN	https://money.cnn.com/2017/10/02/technology/business/ajit-pai-reappointed/index.html
Jun 11, 2017	Democrats Propose Funding for High-Speed Internet for All	Broadband Properties	http://bbpmag.com/wordpress2/2017/06/democrats-propose-funding-for-high-speed-internet-for-all/
Jun 24, 2017	Startups push to preserve net neutrality (Syndicated in 1 additional pub)	The Almanac	https://www.almanacnews.com/news/2017/06/24/startups-push-to-preserve-net-neutrality
Jul 11, 2017	Online Protest Planned Over Rollback of Net Neutrality Rules (Syndicated in 4 additional pubs)	InvestorsHub	https://ih.adfn.com/p.php?pid=nmona&article=75216738
Jul 11, 2017	Online 'Day of Action' for Net Neutrality Will Feature Free Speech Arguments	Morning Consult	https://morningconsult.com/2017/07/11/online-day-of-action-net-neutrality-will-feature-free-speech-arguments/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jul 12, 2017	Net Neutrality 'Day of Action': Will It Make a Difference? (Syndicated in 1 additional pub)	Variety	http://variety.com/2017/biz/news/net-neutrality-fcc-google-1202494322/
Jul 12, 2017	If you like having access to the entire internet, help save net neutrality	The Daily Dot	https://www.dailyydot.com/layer8/save-net-neutrality-save-internet/
Jul 12, 2017	Net neutrality backers fight back	CNET.com	https://www.cnet.com/news/net-neutrality-backers-fight-back/
Jul 12, 2017	Today's net neutrality protest won't matter to the FCC	Axios	https://www.axios.com/why-todays-net-neutrality-protest-wont-change-a-thing-at-the-fcc-2457431236.html
Jul 21, 2017	More than 10 million people flooded the FCC with net neutrality comments (Syndicated in 6 additional pubs)	PC Gamer	http://www.pcgamer.com/more-than-10-million-people-flooded-the-fcc-with-net-neutrality-comments/
Jul 24, 2017	Tech industry's legislation talk puts Democrat in net neutrality bind	Politico	http://www.politico.com/story/2017/07/24/tech-industries-legislation-talk-puts-democrats-in-net-neutrality-bind-240888
Aug 30, 2017	Net Neutrality: After Wednesday's FCC Deadline, What's Next?	Variety	http://variety.com/2017/digital/news/fcc-net-neutrality-deadline-1202542662/
Aug 30, 2017	Daily Caller: FCC Gave Preferential Treatment to Liberal Groups in 2014 (Syndicated in 2 additional pubs)	Newsmax	http://www.newsmax.com/Newsfront/fcc-federal-communications-commission-liberal-groups-net-neutrality/2017/08/30/id/810731/
Sep 4, 2017	Should Congress be in the business of regulating Internet companies like Google?	KUTV CBS 2	https://kutv.com/news/connect-to-congress/should-congress-be-in-the-business-of-regulating-internet-companies-like-google
Sep 5, 2017	Critics say Sinclair-Tribune merger would mean less diverse, local coverage	Axios	https://www.axios.com/sinclair-2480400378.html
Oct 2, 2017	Trump's FCC head gets another term after outcry (Syndicated in 82 additional pubs)	CNN Money	http://money.cnn.com/2017/10/02/technology/business/ajit-pai-reappointed/index.html
Oct 3, 2017	The Future of The Internet is Up for Grabs—Theoretically	BillMoyers.com	http://billmoyers.com/story/internet-freedom-up-for-grabs/
Nov 9, 2017	I Never Root for Megamergers, But Go, AT&T-Time Warner!	Bloomberg	https://www.bloomberg.com/view/articles/2017/11/09/i-never-root-for-megamergers-but-go-at-t-time-warner
Nov 15, 2017	Massive Sinclair Merger Still Faces Headwinds Despite FCC Boost	National Journal	https://www.nationaljournal.com/s/660803/massive-sinclair-merger-still-faces-headwinds-despite-fcc-boost
Nov 15, 2017	Net neutrality fight is about to flare again	Politico	https://www.politico.com/story/2017/11/15/net-neutrality-fight-is-about-to-flare-again-244912
Nov 15, 2017	How a massive broadcast merger could affect your local TV news	CNET News	https://www.cnet.com/news/how-a-massive-broadcast-merger-could-affect-your-local-tv-news/
Nov 20, 2017	Trump tweets on CNN could muddy AT&T-Time Warner lawsuit	Politico	https://www.politico.com/story/2017/11/20/trump-cnn-tweets-time-warner-lawsuit-182454
Nov 20, 2017	STATEMENT OF GIGI SOHN ON JUSTICE DEPARTMENTS LAWSUIT AGAINST THE AT&T-TIME WARNER MERGER	Gigi Sohn Statement	https://gigisohn.com/media/statement-gigi-sohn-justice-departments-lawsuit-att-time-warner-merger/
Nov 21, 2017	What's Happening With Net Neutrality? The FCC's Proposal Could Change Your Internet Use	Elite Daily	https://www.elitedaily.com/p/whats-happening-with-net-neutrality-the-fccs-proposal-could-change-your-internet-use-5531342
Nov 21, 2017	Today, We May Learn How the FCC Plans to Destroy Net Neutrality	Futurism	https://futurism.com/today-learn-fcc-plans-destroy-net-neutrality/
Nov 21, 2017	Trump administration sends mixed messages on big media	WSLS 10	https://www.wsls.com/tech/trump-administration-sends-mixed-messages-on-big-media
Nov 21, 2017	UPDATED: STATEMENT OF GIGI SOHN ON FCC'S ABDICATION OF ITS AUTHORITY TO PROTECT CONSUMERS AND LIKELY REPEAL OF NET NEUTRALITY RULES	Gigi Sohn Statement	https://gigisohn.com/media/statement-gigi-sohn-fccs-deregulation-broadband-likely-repeal-net-neutrality-rules/
Nov 22, 2017	What's at stake with the FCC's net neutrality vote—USA TODAY.	USA Today	https://www.usatoday.com/story/tech/news/2017/11/22/whats-stake-fccs-net-neutrality-vote/88887001/
Nov 22, 2017	Trump administration sends mixed messages on big media	CNN	https://money.cnn.com/2017/11/21/technology/trump-doj-fcc-att/index.html
Nov 27, 2017	FCC Moves To Kill Net Neutrality—Now What?	NPR's On Point	https://www.wbur.org/onpoint/2017/11/27/net-neutrality-repeal
Nov 27, 2017	What Happens Once 'Net Neutrality' Rules Bite The Dust?	The Seattle Times	https://www.seattletimes.com/business/what-happens-once-net-neutrality-rules-bite-the-dust/
Nov 28, 2017	Net-Neutrality Nastiness Drags FCC into Dangerous Waters	National Journal	https://www.nationaljournal.com/s/661174/net-neutrality-nastiness-drags-fcc-into-dangerous-waters

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Nov 28, 2017	FCC chairman calls Twitter the real threat to an open internet	CNET News	https://www.cnet.com/news/fcc-chairman-calls-twitter-the-real-threat-to-an-open-internet/
Nov 28, 2017	Tech allies slam FCC's broadside against web platforms	Axios	https://wwwaxios.com/tech-disputes-fcc-chairmans-broadside-against-web-platforms-2513355316.html?utm_source=sidebar
Nov 28, 2017	How Bots Broke the FCC's Public Comment System	Wired	https://www.wired.com/story/bots-broke-fcc-public-comment-system/
Nov 28, 2017	Debate Rages Over FTC as Web Referee After Net Neutrality Gutted	Bloomberg	https://www.bloomberg.com/news/articles/2017-11-28/debate-rages-over-ftc-as-web-referee-after-net-neutrality-gutted
Nov 28, 2017	Techdirt Podcast Episode 145: Tom Wheeler Reacts To Trump's FCC	TechDirt	https://www.techdirt.com/2017/11/28/techdirt-podcast-episode-145-tom-wheeler-reacts-to-trumps-fcc/
Dec 2, 2017	What happens once 'net neutrality' rules bite the dust?	Post-Bulletin	https://www.postbulletin.com/business/what-happens-once-net-neutrality-rules-bite-the-dust
Dec 5, 2017	The Communicators: Communicators Roundtable Discussion on Net Neutrality	C-SPAN	https://www.c-span.org/video/?438146-1/communicators-roundtable-discussion-net-neutrality
Dec 5, 2017	A Disney-Fox Deal Would Land at an Uncertain Moment for DOJ Review of Big Media	Variety	http://variety.com/2017/politics/news/disney-fox-antitrust-1202631193/
Dec 5, 2017	Ask The FCC	NPR's 1A	https://the1a.org/segments/2017-12-05-ask-the-fcc/
Dec 1, 2017	Life In The Internet Slow Lane	Science Friday	https://www.sciencefriday.com/segments/life-in-the-internet-slow-lane/
Dec 12, 2017	STATEMENT OF GIGI SOHN ON THE FCC'S DECEMBER 14 VOTE TO ABDICATE ITS RESPONSIBILITY TO PROTECT CONSUMERS AND COMPETITION AND REPEAL THE 2015 NET NEUTRALITY RULES	Gigi Sohn Statement	https://gigisohn.com/media/statement-gigi-sohn-fccs-december-14-vote-abdicate-responsibility-protect-consumers-competition-repeal-2015-net-neutrality-rules/
Dec 13, 2017	End of net neutrality could bring new fees for speed, reliability	The Providence Journal	http://www.providencejournal.com/news/20171213/end-of-net-neutrality-could-bring-new-fees-for-speed-reliability?rssfeed=true
Dec 13, 2017	Net neutrality's repeal means fast lanes could be coming to the internet. Is that a good thing?	Los Angeles Times (Premium)	http://www.latimes.com/business/la-fi-net-neutrality-fast-lanes-20171213-story.html
Dec 14, 2017	Online innovation at risk following FCC's repeal of net neutrality rules	NY Daily News	https://gigisohn.com/writing/ny-daily-news-online-innovation-risk-following-fccs-repeal-net-neutrality-rules/
Dec 14, 2017	How the loss of net neutrality could change the internet	True Viral News	http://trueviralnews.com/how-the-loss-of-net-neutrality-could-change-the-internet/
Dec 14, 2017	What the Net Neutrality Repeal Means for Us	Rolling Stone Australia	http://rollingstoneaus.com/culture/post/what-the-net-neutrality-repeal-means-for-us/7622
Dec 14, 2017	What the Net Neutrality Repeal Means for Us	Rolling Stone	http://www.rollingstone.com/culture/features/what-the-net-neutrality-repeal-means-for-us-w514104
Dec 14, 2017	FCC neuters net neutrality, votes out Obama-era rules	CNET Australia	https://www.cnet.com/au/news/net-neutrality-neutered-fcc-votes-out-obama-era-rules/
Dec 14, 2017	Now That The FCC Has Scrapped Net Neutrality, Get Ready For The Legal Battles	True Viral News	http://trueviralnews.com/now-that-the-fcc-has-scrapped-net-neutrality-get-ready-for-the-legal-battles/
Dec 14, 2017	Activists Decry FCC Vote as Existential 'Net Threat'	Broadcasting & Cable	http://www.broadcastingcable.com/news/washington/activists-decrys-fcc-vote-existential-net-threat/170664
Dec 14, 2017	Activists Decry FCC Vote as Existential 'Net Threat'	Multichannel News	https://www.nexttv.com/news/activists-decrys-fcc-vote-existential-net-threat-170664
Dec 14, 2017	Net neutrality, neutered: FCC votes out Obama-era rules	CNET News	https://www.cnet.com/news/net-neutrality-neutered-fcc-votes-out-obama-era-rules/
Dec 14, 2017	Now That The FCC Has Scrapped Net Neutrality, Get Ready For The Legal Battles	Fast Company	https://www.fastcompany.com/40505844/now-that-the-fcc-has-scrapped-net-neutrality-get-ready-for-the-legal-battles
Dec 14, 2017	Fast lanes may be coming to the web	The Guam Daily Post	https://www.postguam.com/business/fast-lanes-may-be-coming-to-the-web/article/5615355c-e09d-11e7-9053-7b4376ca0f9c.html
Dec 14, 2017	FCC poised to repeal net neutrality protections	Democratic Underground	https://www.democraticunderground.com/10029981486
Dec 14, 2017	Fast lanes may be coming to web—the end of net neutrality could bring new fees for speed and reliability	Pittsburgh Post-Gazette	http://www.post-gazette.com/business/tech-news/2017/12/13/Fast-lanes-may-be-coming-to-web-the-end-of-net-neutrality-could-bring-new-fees-for-speed-and-reliability/stories/201712130312

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Dec 14, 2017	How the loss of net neutrality could change the internet	Politico	https://www.politico.com/story/2017/12/14/how-net-neutrality-loss-change-internet-212671
Dec 14, 2017	Goodbye, net neutrality—Ajit Pai's FCC votes to allow blocking and throttling	Ars Technica	https://arstechnica.com/tech-policy/2017/12/goodbye-net-neutrality-agit-pais-fcc-votes-to-allow-blocking-and-throttling/
Dec 14, 2017	FCC poised to repeal net neutrality protections	The Hill	http://thehill.com/policy/technology/364795-fcc-poised-to-repeal-net-neutrality-protections
Dec 15, 2017	Fast lanes may be coming to web: End of net neutrality could bring new fees for speed, reliability	Phys.org	https://phys.org/news/2017-12-fast-lanes-web-net-neutrality.html
Dec 15, 2017	The never ending battle over net neutrality is far from over. Here's what's coming next: financial-marketresearch.com	Financial Market Research News	http://www.financial-marketresearch.com/the-never-ending-battle-over-net-neutrality-is-far-from-over-heres-whats-coming-next/
Dec 15, 2017	The Political Dumpster Fire Of Net Neutrality Is Just Heating Up	Fast Company	https://www.fastcompany.com/40508221/the-political-dumpster-fire-of-net-neutrality-is-just-heating-up
Dec 16, 2017	Battle over net neutrality	The Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2017/12/15/the-never-ending-battle-over-net-neutrality-is-far-from-over-heres-whats-coming-next/
Dec 18, 2017	Media Mergers And What They Mean For You	NPR'S 1A	https://1a.org/segments/2017-12-18-media-mergers-and-what-they-mean-for-you/
Dec 20, 2017	Skepticism Greets GOP Plan to Restore Open-Internet Rules	Bloomberg	https://www.bloomberg.com/news/articles/2017-12-20/skepticism-greets-republican-plan-to-restore-open-internet-rules?rnd=telecom
Dec 29, 2017	In 2017, the FCC made life easier for your Internet provider	CNET.com	https://www.cnet.com/news/fcc-net-neutrality-repeal-easier-life-for-your-internet-provider/
Jan 2, 2018	What's Next for the DOJ After Defeat in AT&T-Time Warner Trial?	Yahoo! News Philippines	https://ph.news.yahoo.com/next-doj-defeat-t-time-232943111.html
Jan 6, 2018	One of net neutrality's biggest defenders is leaving the FCC	Yahoo! News Philippines	https://ph.news.yahoo.com/one-net-neutrality-biggest-defenders-leaving-fcc-210948199.html
Jan 24, 2018	Now weighing in on net neutrality: AT&T CEO and Burger King?	Independent Mail	http://www.independentmail.com/story/tech/talkingtech/2018/01/24/t-geo-calls/1061071001/
Jan 24, 2018	AT&T Web rights proposal greeted with cynicism	San Antonio Express-News	http://www.mysanantonio.com/business/article/AT-T-Web-rights-proposal-greeted-with-cynicism-12522463.php
Jan 24, 2018	AT&T's CEO penned an open letter calling for net neutrality laws to cover both ISPs and web companies	The Verge	https://www.theverge.com/2018/1/24/16927262/att-net-neutrality-isp-tech-companies-facebook-twitter
Jan 24, 2018	GIGI SOHN STATEMENT ON AT&T'S CALL FOR AN "INTERNET BILL OF RIGHTS"	Gigi Sohn Statement	https://gigisoohn.com/media/gigi-sohn-statement-atts-call-internet-bill-rights/
Jan 24, 2018	AT&T Web Rights Proposal Is 'Ultimate in Hypocrisy,' Critics Say	Bloomberg	https://www.bloomberg.com/news/articles/2018-01-24/att-web-rights-proposal-is-ultimate-in-hypocrisy-critics-say
Jan 25, 2018	N.Y. joins states boosting net neutrality after FCC rollback	San Antonio Express-News	http://www.mysanantonio.com/business/article/N-Y-joins-states-boosting-net-neutrality-after-12524915.php
Jan 25, 2018	Burger King on net neutrality: Have it your way	USA Today	https://www.usatoday.com/story/tech/talkingtech/2018/01/24/t-geo-calls/1061071001/
Jan 25, 2018	New York Joins States Trying to Restore Net Neutrality	Bloomberg	https://www.bloomberg.com/news/articles/2018-01-25/new-york-joins-states-trying-to-restore-voiled-net-neutrality
Jan 24, 2018	AT&T Ad Pushes 'Internet Bill Of Rights'	USA Today	https://www.usatoday.com/story/tech/talkingtech/2018/01/24/t-geo-calls/1061071001/
Feb 2, 2018	Net neutrality battle: Bicyclist slows real traffic in protest; California bill advances	SiliconBeat	http://www.siliconbeat.com/2018/02/02/net-neutrality-battle-bicyclist-slows-real-traffic-protest-california-bill-advances/
Feb 16, 2018	New tech talent in the White House	Politico	https://www.politico.com/newsletters/morning-tech/2018/02/16/new-tech-talent-in-the-white-house-109648
Feb 20, 2018	Does Rural America Really Need Billions in Federal Broadband Funds?	National Journal	https://www.nationaljournal.com/s/664292/does-rural-america-really-need-billions-federal-broadband-funds
Feb 21, 2018	Ajit Pai's plan will take broadband away from poor people	Wired	https://gigisoohn.com/writing/wired-agit-pais-plan-will-take-broadband-away-poor-people/
Feb 21, 2018	Sinclair to Sell, But Still Run, New York and Chicago Stations	Bloomberg	https://www.bloomberg.com/news/articles/2018-02-21/sinclair-to-sell-but-still-run-new-york-and-chicago-stations
Feb 28, 2018	Democrats introduce resolution to save net neutrality from repeal	ThinkProgress	https://thinkprogress.org/c4a5e74d1111/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Mar 1, 2018	After Trump Administration Rollback, Senate Majority Leader Duff, Legislators and Telecommunications Experts Propose Connecticut Net Neutrality Law	Connecticut CT—AmericanTowns.com	http://www.american towns.com/ct/hartford/news/after-trump-administration-rollback-senate-majority-leader-duff-legislators-and-telecommunications-experts-propose-connecticut-net-neutrality-law
Mar 5, 2018	Will the FCC's net neutrality repeal grind the Internet to a halt?	The Washington Post	https://www.washingtonpost.com/news/fact-checker/wp/2018/03/05/will-the-fccs-net-neutrality-repeal-grind-the-internet-to-a-halt/
Mar 15, 2018	Net neutrality advocates bring expertise to state fights	Politico	https://www.politico.com/newsletters/morning-technology/2018/03/15/net-neutrality-advocates-bring-expertise-to-state-fights-133692
Apr 2, 2018	Trump defends media giant as massive broadcast merger awaits	CNET News	https://www.cnet.com/news/sinclair-media-awaiting-massive-broadcast-merger-gets-trump-defense/
Apr 3, 2018	APNewsBreak: U.S. suspects cellphone spying devices in DC	AP	https://apnews.com/article/north-america-technology-us-news-ap-top-news-dc-wire-d716aac4ad744bdc4e3cb13dce12d7e
Apr 17, 2018	GIGI SOHN STATEMENT ON FCC COMMISSIONER MIGNON CLYBURN LEAVING THE AGENCY	Gigi Sohn Statement	https://gigiso hn.com/media/gigi-sohn-statement-on-fcc-commissioner-mignon-clyburn-leaving-the-agency/
Apr 17, 2018	The FCC loses a fierce consumer advocate as Mignon Clyburn resigns	Ars Technica UK	https://arstechnica.com/tech-policy/2018/04/the-fcc-loses-a-fierce-consumer-advocate-as-mignon-clyburn-resigns/
Apr 17, 2018	Mignon Clyburn, a Fierce Defender of Net Neutrality, Is Leaving the FCC	Gizmodo	https://gizmodo.com/mignon-clyburn-a-fierce-defender-of-net-neutrality-is-1825326856
Apr 27, 2018	Sprint and T-Mobile Are Said to Be Close to a Merger to Compete at the Top	New York Times	https://www.nytimes.com/2018/04/27/business/dealbook/sprint-t-mobile-merger.html
Apr 29, 2018	The Sprint/T-Mobile Merger Is Huge—But a Lot of Questions Remain	Wired	https://www.wired.com/story/t-mobile-sprint-merger/
Apr 29, 2018	T-Mobile, Sprint agree to merge as America's national wireless carriers shrink from 4 to 3	USA Today	https://www.usatoday.com/story/tech/news/2018/04/29/t-mobile-sprint-agree-merger-americas-national-wireless-carriers-shrink-4-3/798608001/
Apr 29, 2018	T-Mobile and Sprint's pitch to DC: Good for America	Axios	https://wwwaxios.com/t-mobile-sprint-merger-regulators-152502282-4125fb6f-45ac-447f-84cf-5fc40d73c24f.html
Apr 29, 2018	T-Mobile to Buy Sprint for \$26.5 Billion in Bet on Networks	Bloomberg	https://www.bloomberg.com/news/articles/2018-04-29/sprint-t-mobile-in-26-5-billion-deal-to-take-on-at-t-verizon#t4y7uzkg
Apr 30, 2018	T-Mobile, Sprint say merger is Trump's kind of deal	Politico	https://www.politico.com/story/2018/04/30/tmobile-sprint-merger-trump-wireless-509949
May 1, 2018	Sprint plunges on concern that T-Mobile deal will be blocked	The Business Times (Free Content)	http://www.businessstimes.com.sg/consumer/sprint-plunges-on-concern-that-t-mobile-deal-will-be-blocked
May 1, 2018	One of net neutrality's biggest defenders is leaving the FCC	Yahoo Finance	https://finance.yahoo.com/news/one-net-neutrality-biggest-defenders-leaving-fcc-210948199.html
May 6, 2018	STATEMENT OF GIGI SOHN ON SENATE PASSAGE OF JOINT RESOLUTION OF DISAPPROVAL OF DECEMBER 14 NET NEUTRALITY REPEAL	Wordpress	https://gigiso hn.com/media/statement-of-gigi-sohn-on-senate-passage-of-joint-resolution-of-disapproval-of-december-14-net-neutrality-repeal/
May 8, 2018	T-Mobile's Sprint merger faces familiar antitrust obstacles	Washington Examiner	https://www.washingtonexaminer.com/business/t-mobiles-sprint-merger-faces-familiar-antitrust-obstacles
May 9, 2018	The Communicators: Gigi Sohn and Robert McDowell	CSPAN	https://www.c-span.org/video/?445224-1/communicators-gigi-sohn-robert-mcdowell
May 11, 2018	Promises mean little for consumers in T-Mobile Sprint Deal	Wired	https://gigiso hn.com/writing/wired-promises-mean-little-for-consumers-in-t-mobile-sprint-deal/
May 11, 2018	AT&T ousts top lobbyist after payments to Trump attorney	The Dallas Morning News (Premium)	https://www.dallasnews.com/business/local-companies/2018/05/11/att-ousts-top-lobbyist-after-payments-to-trump-attorney/
May 13, 2018	PopPolitics: AT&T's 'Big Mistake' Came Amid a Scramble to Connect with Trump (Listen)	Variety	https://variety.com/2018/politics/news/att-michael-cohen-1202809064/
May 16, 2018	Here's What Next in the Fight to Save Net Neutrality	Gizmodo	https://gizmodo.com/heres-what-next-in-the-fight-to-save-net-neutrality-1826086759
May 17, 2018	Senate reinstates net neutrality (for now)	Telecomstech	https://www.telecomstechnews.com/news/2018/may/17/senate-reinstates-net-neutrality/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
May 21, 2018	FCC chair defends weakening net neutrality despite Senate vote	Guam Daily	https://www.postguam.com/business/fcc-chair-defends-weakening-net-neutrality-despite-senate-vote/article61d133a-5a61-11e8-b4e3-3b6beeda6a04.html
Jun 5, 2018	FCC has a redaction party with e-mails relating to mystery attack on comment system	TechCrunch	https://techcrunch.com/2018/06/05/fcc-has-a-redaction-party-with-e-mails-relating-to-mystery-attack-on-comment-system/
Jun 5, 2018	FCC E-mails Show Agency Spread Lies to Bolster Dubious DDoS Attack Claims	Gizmodo	https://gizmodo.com/fcc-e-mails-show-agency-spread-lies-to-bolster-dubious-d-1826535344
Jun 10, 2018	The end of net neutrality is here	Channel 3000	https://www.channel3000.com/news/money/the-end-of-net-neutrality-is-here/article63dfdbde-91b3-5643-a63d-4ca9e574654c.html
Jun 10, 2018	Net Neutrality Ends Tomorrow, FCC On Track To Remove Rules As Scheduled	The Inquisitr News	https://www.inquisitr.com/4936466/net-neutrality-ends-tomorrow-fcc-on-track-to-remove-rules-as-scheduled/
Jun 10, 2018	STATEMENT OF GIGI SOHN ON THE JUNE 11 EFFECTIVE DATE OF THE FCC'S DECEMBER 14, 2017 NET NEUTRALITY REPEAL	Gigi Sohn Statement	https://gigisohn.com/media/statement-of-gigi-sohn-on-the-june-11-effective-date-of-the-fccs-december-14-2017-net-neutrality-repeal/
Jun 11, 2018	Net neutrality rules are now dead. Here's what that means for you, and what happens next	Yahoo Finance	https://ca.finance.yahoo.com/news/net-neutrality-rules-now-dead-223518177.html
Jun 11, 2018	Net neutrality rules are now repealed: What it means	CNN Money	https://money.cnn.com/2018/06/11/technology/net-neutrality-repeal-explained/index.html
Jun 11, 2018	As Net Neutrality Ends, Activists Push Congress to Restore Obama-Era Rules	Wall Street Journal	https://www.wsj.com/articles/as-net-neutrality-ends-activists-push-congress-to-restore-obama-era-rules-1528744913
Jun 11, 2018	FCC officially repeals net neutrality rules	ConsumerAffairs.com	https://www.consumeraffairs.com/news/fcc-officially-repeals-net-neutrality-rules-061118.html
Jun 12, 2018	AT&T-Time Warner merger approved, setting the stage for more consolidation across corporate America	Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2018/06/12/att-time-warner-decision/
Jun 12, 2018	U.S. Judge Approves AT&T's \$85 Billion Merger With Time Warner	NPR's All Things Considered	https://www.npr.org/2018/06/12/614092532/u-s-judge-approves-at-ts-85-billion-merger-with-time-warner
Jun 12, 2018	STATEMENT OF GIGI SOHN ON COURT RULING PERMITTING AT&T-TIME WARNER MERGER	Gigi Sohn Statement	https://gigisohn.com/media/statement-of-gigi-sohn-on-court-ruling-permitting-att-time-warner-merger/
Jun 13, 2018	What's Next for the DOJ After Defeat in AT&T-Time Warner Trial?	Variety	http://variety.com/2018/politics/news/att-antitrust-division-justice-department-1202844806/
Jun 13, 2018	Breaking Down The AT&T-Time Warner Decision	NPR'S On Point	https://www.wbur.org/onpoint/2018/06/13/time-warner-att-merger
Jun 13, 2018	AT&T's Victory Is a Big Setback for Merger Enforcement	Bloomberg	https://www.bloomberg.com/news/articles/2018-06-13/att-deal-win-against-u-s-seen-constraining-merger-enforcement
Jun 14, 2018	Two companies won, Democracy lost	Buzzfeed News	https://www.buzzfeednews.com/article/gigisohn/two-companies-won-democracy-lost#jorKMYpOx
Jun 14, 2018	Trump's FCC chair weighs rule change to save Sinclair's local news takeover before court can nix it	Daily Kos	https://www.dailykos.com/stories/2018/6/14/1771915/-Trump-s-FCC-Chair-weighs-rule-change-to-save-Sinclair-s-local-news-takeover-before-court-can-nix-it
Jul 10, 2018	Kavanaugh on the Supreme Court Could Spell Trouble for Tech	Wired	https://www.wired.com/story/brett-kavanaugh-supreme-court-could-spell-trouble-for-tech/
Jul 12, 2018	AT&T-Time Warner merger approved, setting the stage for more consolidation across corporate America	Washington Post	https://www.washingtonpost.com/news/the-switch/wp/2018/06/12/att-time-warner-decision/
Jul 12, 2018	It Just Got Easier for the FCC to Ignore Your Complaints	Wired	https://www.wired.com/story/it-just-got-easier-for-the-fcc-to-ignore-your-complaints/
Jul 16, 2018	How AT&T's plan to become the new Facebook could be a privacy nightmare	The Verge	https://www.theverge.com/2018/7/16/17569602/att-verizon-silicon-valley-facebook-google-net-neutrality-ad-tar-geting-privacy-nightmare
Jul 16, 2018	Is The Sinclair-Tribune Deal Dead?	Cheddar News	https://cheddar.com/media/is-the-sinclair-tribune-deal-dead
Jul 17, 2018	FCC says Sinclair-Tribune deal may violate the law	The Christian Science Monitor	https://www.csmonitor.com/USA/Politics/2018/0717/FCC-says-Sinclair-Tribune-deal-may-violate-the-law
Jul 17, 2018	GIGI SOHN STATEMENT ON REP. COFFMAN'S SIGNING OF THE NET NEUTRALITY DISCHARGE PETITION	Gigi Sohn Statement	https://gigisohn.com/media/gigi-sohn-statement-on-rep-coffmans-signing-of-the-net-neutrality-discharge-petition/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jul 18, 2018	EU to drop the hammer on Google	Politico	https://www.politico.com/newsletters/morning-tech/2018/07/18/eu-to-drop-the-hammer-on-google-283039
Jul 20, 2018	Slap at Sinclair Seen as Turnabout From Friendly FCC Chief	Newsmax	https://www.newsmax.com/newsfront/ajit-pai-sinclair-fcc-tribune/2018/07/20/id/872959/
Jul 23, 2018	The U.S. Needs a New Policy Framework for an Open Internet Ecosystem	Benton Foundation	https://www.benton.org/blog/us-needs-new-policy-framework-open-internet-ecosystem
Jul 24, 2018	Regulatory Oversight and Privacy Policy for an Open Internet Ecosystem	Benton Foundation	https://www.benton.org/blog/regulatory-oversight-and-privacy-policy-open-internet-ecosystem
Jul 25, 2018	A Policy Framework for an Open Internet Ecosystem	Georgetown Law Technology Review	https://georgetownlawtechreview.org/a-policy-framework-for-an-open-internet/GLTR-07-2018/
Jul 26, 2018	Access and Affordability Policy for an Open Internet Ecosystem	Benton Foundation	https://www.benton.org/blog/access-and-affordability-policy-open-internet-ecosystem
Aug 9, 2018	Sinclair's merger with Tribune is officially dead	CNET News	https://www.cnet.com/news/sinclair-broadcast-group-merger-with-tribune-media-is-dead/
Aug 9, 2018	Gigi Sohn Statement on Tribune Endings Its Merger with Sinclair	Gigi Sohn Statement	http://gigisohn.com/media/gigi-sohn-statement-on-tribune-ending-its-merger-with-sinclair/
Aug 12, 2018	Sinclair's problems mount after merger collapses	The Hill	https://thehill.com/policy/technology/401350-sinclair-problems-mount-after-merger-collapses/
Aug 13, 2018	Hillicon Valley: FBI fires Strzok after anti-Trump tweets Trump signs defense bill with cyber war policy Google under scrutiny over location data Sinclair's troubles may just be beginning Tech to ease health	The Hill	http://thehill.com/policy/technology/overnights/401662-hillicon-valley-strzok-out-trump-signs-ndaa-tech-and-white-house-team-up-on
Aug 14, 2018	Sen. Warner's Platform Regulation: A good step forward, but what about ISPs?	Benton Foundation	https://www.benton.org/blog/sen-warner%E2%80%99s-platform-regulation-good-step-forward-what-about-isps
Aug 20, 2018	Text campaigns are changing American politics—and nobody's ready	VICE News	https://news.vice.com/en_us/article/vbjw9/text-campaigns-are-changing-american-politics-and-nobodys-ready
Aug 24, 2018	Verizon Couldn't Have Restricted Santa Clara County's Internet service during the fires under net neutrality	NBC News	https://www.nbcnews.com/think/opinion/verizon-couldn-t-have-restricted-santa-clara-county-phone-ncn035331
Aug 28, 2018	Democrats Claim Confirming Kavanaugh Would Doom Net Neutrality	Courthouse News Service	https://www.courthousenews.com/democrats-claim-confirming-kavanaugh-would-doom-net-neutrality/
Sep 4, 2018	Should Congress be in the business of regulating Internet companies like Google?	ABC News 4	https://abcnews4.com/news/connect-to-congress/should-congress-be-in-the-business-of-regulating-internet-companies-like-google
Sep 4, 2018	Facebook, Twitter Will Face GOP Questions of Political Bias at Congressional Hearings	Variety	https://variety.com/2018/politics/news/facebook-twitter-congressional-hearings-gop-1202926136/
Sep 5, 2018	Republicans Accuse Twitter of Bias Against Conservatives	New York Times	https://www.nytimes.com/2018/09/05/technology/lawmakers-facebook-twitter-for-eign-influence-hearing.html
Sep 5, 2018	Republicans Accuse Twitter of Bias Against Conservatives	F3News	https://www.f3news.com/news/republicans-accuse-twitter-of-bias-against-conservatives-new-york-times-e6cf761d0a
Sep 6, 2018	The FCC chief's call for cracking down on tech companies is not only laughable, it's the height of hypocrisy' (GOOGL, FB, AAPL, TWTW)	Yahoo! Finance	https://finance.yahoo.com/news/fcc-chief-call-cracking-down-234849475.html
Sep 6, 2018	FCC Ajit Pai is playing politics by calling for regulating tech firms	Televizor UK	https://www.televizor.co.uk/global/politics/fcc-ajit-pai-is-playing-politics-by-calling-for-regulating-tech-firms/090623
Sep 7, 2018	Facebook and Google Feel Chill From Once-Friendly Washington	Bloomberg	https://www.bloomberg.com/news/articles/2018-09-07/facebook-and-google-feel-chill-from-once-friendly-washington
Sep 14, 2018	Brett Kavanaugh's net neutrality views could have a broad impact if he joins the Supreme Court	NBC News	https://www.nbcnews.com/think/opinion/brett-kavanaugh-s-net-neutrality-views-could-have-broad-impact-n906086
Sep 14, 2018	FCC's main talks awaiting California Net-Neutrality Law Illegal, Escalating Policy Clash	Vaaju.com	https://vaaju.com/fccs-main-talks-awaiting-california-net-neutrality-law-illegal-escalating-policy-clash/
Sep 24, 2018	How bad maps are ruining American broadband	The Verge	https://www.theverge.com/2018/9/24/17882842/us-internet-broadband-map-isp-fcc-wireless-competition
Oct 1, 2018	US Government Sues California for Daring to Protect Net Neutrality	F3News	https://www.f3news.com/news/us-government-sues-california-for-daring-to-protect-net-neutrality-d4740c45e6
Oct 1, 2018	California just passed its net neutrality law. The DOJ is already suing	HartfordBusiness.com	http://www.hartfordbusiness.com/article/20181001/NEWS02/310019999

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Oct 1, 2018	US Government Sues California for Daring to Protect Net Neutrality	MotherBoard	https://motherboard.vice.com/en_us/article/quazku/us-government-sues-california-for-daring-to-protect-net-neutrality
Oct 1, 2018	California just passed its net neutrality law. The DOJ is already suing	Kopitiam Bot	https://kopitiambot.com/2018/10/01/california-just-passed-its-net-neutrality-law-the-doj-is-already-suing/
Oct 1, 2018	US Government Sues California for Daring to Protect Net Neutrality	VICE	https://www.vice.com/en/article/quazku/us-government-sues-california-for-daring-to-protect-net-neutrality
Oct 1, 2018	California enacts its net neutrality law. The DOJ is already suing	YakTriNews.com	https://www.yaktrinews.com/california-enacts-its-net-neutrality-law-the-doj-is-already-suing/
Oct 1, 2018	California Passes Net Neutrality Law As Justice Department Says They're Suing	CBS Los Angeles	https://losangeles.cbslocal.com/2018/09/30/california-passes-net-neutrality-law-as-justice-department-says-theyre-suing/
Oct 1, 2018	GIGI SOHN STATEMENT ON CALIFORNIA NET NEUTRALITY BILL BECOMING LAW	Gigi Sohn Statement	https://gigisoahn.com/media/gigi-sohn-statement-on-california-net-neutrality-bill-becoming-law/
Oct 3, 2018	California sued by DOJ after governor signs 'model' net neutrality bill	Phys.org	https://phys.org/news/2018-10-california-sued-doj-governor-net.html
Oct 11, 2018	Bending the Arc Towards Media and Social Justice	Benton Foundation	https://www.benton.org/blog/bending-arc-towards%C2%A0media-and-social-justice
Oct 15, 2018	Here's how the FCC plans to defend its net neutrality repeal in Federal court	SiliconValley.com	https://www.siliconvalley.com/2018/10/15/heres-how-the-fcc-plans-to-defend-its-net-neutrality-repeal-in-federal-court-2-2
Oct 24, 2018	Advocates push to beef up privacy regulator	The Hill	https://thehill.com/policy/technology/412856-advocates-push-to-beef-up-privacy-regulator
Nov 5, 2018	US Supreme Court Denies Appeal Against Net Neutrality	NBC News	https://www.nbcnews.com/tech/tech-news/u-s-supreme-court-denies-net-neutrality-appeal-n831331
Nov 6, 2018	What a Democratic Midterm Victory Would Mean for Hollywood	Variety	https://variety.com/2018/politics/news/midterms-hollywood-entertainment-industry-1203020459/
Nov 6, 2018	Trump Is Taking Antitrust 'Very Seriously'—What Does that Mean for Big Tech?	TheStreet	https://www.thestreet.com/technology/trump-big-tech-antitrust-enforcement-fcc-doj-14769864
Nov 7, 2018	With Democrats Taking the House, Privacy and Antitrust Are Key Issues to Watch	TheStreet	https://www.thestreet.com/technology/with-democrats-taking-the-house-privacy-and-antitrust-are-key-issues-to-watch-14771593
Nov 8, 2018	Dems to ramp up oversight of Trump tech regulators	The Hill	https://thehill.com/policy/cybersecurity/415643-dems-to-ramp-up-oversight-of-trump-tech-regulators
Nov 8, 2018	Cities (and States) are Doing it for Themselves	Benton Foundation	https://www.benton.org/blog/cities-and-states-are-doing-it-themselves
Nov 22, 2017	Ajit Pai's Proposal to Kill Net Neutrality is Even Worse Than We Expected	Mashable	https://gigisoahn.com/writing/mashable-ajit-pais-proposal-kill-net-neutrality-even-worse-expected/
Dec 7, 2018	Media Mega-Mergers Face New Threat	TVWeek	https://www.twweek.com/tvbizwire/2018/12/media-mega-mergers-face-new-threat/
Dec 13, 2018	Former FCC counselor says broadband access was an election issue in midterms	The Hill TV	https://thehill.com/hilltv/rising/421237-former-fcc-counselor-says-broadband-access-was-an-election-issue-in-midterms/
Dec 14, 2018	One year later, net neutrality is needed more than ever	Wired	https://gigisoahn.com/writing/medium-one-year-later-net-neutrality-is-needed-more-than-ever/
Dec 14, 2018	One Year After the Net Neutrality Repeal: the FCC Has Abdicated Its Role Protecting Consumers and Competition	ProMarket	https://www.promarket.org/2018/12/14/net-neutrality-repeal-fcc-competition/
Dec 14, 2018	Legalese: Gigi Sohn on Net Neutrality	Georgetown Law	https://www.youtube.com/watch?v=qYAAuNlgrpVU
Dec 14, 2018	New Data, Old Divides	Benton Foundation	https://www.benton.org/blog/new-data-old-divides
Dec 18, 2018	The FCC is kickstarting a second round of media consolidation wars	Business Insider	https://www.businessinsider.com/fcc-starts-review-of-ownership-rules-2018-12
Dec 18, 2018	Shutdown May Slow FCC Agenda	Bloomberg BNA	https://www.bna.com/shutdown-may-slow-n57982094732/
Dec 18, 2018	FCC starts second round of media consolidation wars	Axios	https://www.axios.com/fcc-starts-new-media-consolidation-wars-ownership-rules-c19b107d-ccbc-473c-8fb1-fa74dd355fa1.html
Dec 18, 2018	How the new AT&T could bully its way to streaming domination	The Verge	https://www.theverge.com/2018/12/18/18146186/att-time-warner-streaming-video-net-neutrality
Jan 2, 2019	How the U.S. Gov't Shutdown May Slow the FCC's Agenda	Bloomberg TV	https://www.bloomberg.com/news/videos/2019-01-02/how-the-u-s-gov-t-shutdown-may-slow-the-fcc-s-agenda-video
Jan 4, 2019	FCC Shuts Down, Ajit Pai Jokes He'll Still Police Naughty Language on TV	Vice	https://www.vice.com/en/article/a3mmk4/fcc-shuts-down-ajit-pai-jokes-hell-still-police-naughty-language-on-tv

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jan 10, 2019	We Could Easily Stop Location Data Scandals, But We Cower to Lobbyists Instead	Vice	https://www.vice.com/en/article/nep5x5/we-could-easily-stop-location-data-scandals-but-we-cower-to-lobbyists-instead
Jan 24, 2019	It's Now Clear None of the Supposed Benefits of Killing Net Neutrality Are Real	Vice	https://www.vice.com/en/article/gyab5m/its-now-clear-none-of-the-supposed-benefits-of-killing-net-neutrality-are-real
Jan 31, 2019	What to expect from tomorrow's big net neutrality court hearing	The Verge	https://www.theverge.com/2019/1/31/18205137/net-neutrality-fcc-court-case-hearing
Jan 31, 2019	Today Is a Huge Day in the Fight to Restore Net Neutrality	Slate	https://slate.com/technology/2019/02/net-neutrality-repeal-court-ajit-pai-legal.html
Jan 31, 2019	GIGI SOHN STATEMENT ON TOMORROW'S DC CIRCUIT ORAL ARGUMENT IN MOZILLA V. FCC	Gigi Sohn Statement	https://gigisoohn.com/media/gigi-sohn-statement-on-tomorrows-dc-circuit-oral-argument-in-mozilla-v-fcc/
Feb 5, 2019	Ex-FCC Commissioner and Net Neutrality Advocate Clyburn Now Lobbying for T-Mobile	Vice	https://www.vice.com/en/article/bjqmb5/ex-fcc-commissioner-and-net-neutrality-advocate-clyburn-now-lobbying-for-t-mobile
Feb 6, 2019	Flexibility, Humility, Connectivity: Three Ingredients for a Successful Career	Benton Foundation	https://www.benton.org/blog/flexibility-humility-connectivity-three-ingredients-successful-career
Feb 7, 2019	What A-GPS Data Is (and Why Wireless Carriers Most Definitely Shouldn't Be Selling It)	Vice	https://www.vice.com/en/article/j575dg/what-a-gps-data-is-and-why-wireless-carriers-most-definitely-shouldnt-be-selling-it
Feb 10, 2019	Amy Klobuchar enters 2020 ready to take on Big Tech	Vox	https://www.vox.com/policy-and-politics/2019/2/10/18205386/amy-klobuchar-2020-tech-policy-antitrust-minnesota
Feb 13, 2019	Why Lawmakers Are Wary of T-Mobile, Sprint Mega Deal	Bloomberg TV	https://www.bloomberg.com/news/videos/2019-02-13/why-lawmakers-are-wary-of-t-mobile-sprint-mega-deal-video
Feb 17, 2019	Partisan Rift Threatens Federal Data-Privacy Law	Business Breaking News	https://www.businessbreakingnews.net/2019/02/partisan-rift-threatens-federal-data-privacy-law/
Feb 19, 2019	Partisan split on Federal U.S. privacy law hinders progress	International Association of Privacy	https://iapp.org/news/a/partisan-split-on-federal-u-s-privacy-law-hinders-progress/
Feb 19, 2019	Rift Between U.S. and European Carriers Opens Over Huawei	Bloomberg	https://www.bloomberg.com/news/articles/2019-02-19/huawei-issue-opens-rift-between-u-s-european-mobile-carriers
Feb 20, 2019	Huawei opens a gap between the U.S. and the EU	Mexico—Vaaju	https://vaaju.com/mexicoeng/huawei-opens-a-gap-between-the-us-and-the-eu/
Feb 20, 2019	Huawei Issue Opens Rift Between U.S. and Global Carriers	Investing.com	https://in.investing.com/news/stock-market-news/huawei-issue-opens-rift-between-us-and-global-carriers-1479402
Feb 21, 2019	FCC Says Gutting ISP Oversight Was Great For Broadband	Vice	https://www.vice.com/en/article/yu85dk/fcc-gutting-isp-oversight-was-great-for-broadband-youre-welcome
Feb 21, 2019	U.S. Carriers Resistant to Cybersecurity Mandates (Radio)	Bloomberg	https://www.bloomberg.com/news/audio/2019-02-22/u-s-carriers-resistant-to-cybersecurity-mandates-radio
Feb 22, 2019	The race is on for global 5G dominance—and Trump's in on it	NBCNEWS.com	https://www.nbcnews.com/tech/mobile/race-global-5g-dominance-trump-s-it-n974156
Feb 26, 2019	U.S. The Justice Department will not appeal the AT&T, Time Warner merger after the court case	Roofing Contractors Association of BC	https://vaaju.com/u-s-the-justice-department-will-not-appeal-the-att-time-warner-merger-after-the-court-case/
Feb 26, 2019	US Courts Just Greenlit AT&T's Anti-Competitive Ambition for Decades to Come	VICE	https://www.vice.com/en/article/bj574/us-courts-just-greenlit-att-anti-competitive-ambition-for-decades-to-come
Feb 26, 2019	AT&T wins fight with U.S. over purchase of Time Warner	Reuters U.S. News	https://www.reuters.com/article/us-timewarner-m-a-at-t/att-wins-fight-with-u-s-over-purchase-of-time-warner-idUSKCN1QF1XB
Feb 26, 2019	GIGI SOHN STATEMENT ON DC CIRCUIT'S DECISION TO ALLOW THE AT&T-TIME WARNER MERGER TO PROCEED	Gigi Sohn Statement	https://gigisoohn.com/media/gigi-sohn-statement-on-dc-circuits-decision-to-allow-the-att-time-warner-merger-to-proceed/
Feb 27, 2019	The Government Made the Wrong Argument in Its Failed Challenge to the AT&T/Time Warner Merger	Slate	https://slate.com/technology/2019/02/att-time-warner-merger-antitrust-hbo-net-neutrality-doj.html
Mar 1, 2019	Keynote Address—Social Justice or Inequality: The Heart of the Net Neutrality Debate	University of Pittsburgh Law Review	https://laureview.law.pitt.edu/ojs/laureview/article/view/653/430
Mar 6, 2019	Democrats Unveil New Net Neutrality Legislation	Variety	https://variety.com/2019/politics/news/new-net-neutrality-legislation-democrats-1203156253/
Mar 6, 2019	Democrats Unveil New Bill to Fully Restore Net Neutrality	Vice	https://www.vice.com/en/article/d3mk5w/democrats-unveil-new-bill-to-fully-restore-net-neutrality

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Mar 6, 2019	REVISED: GIGI SOHN STATEMENT ON INTRODUCTION OF SAVE THE INTERNET ACT	Gigi Sohn Statement	https://gigisohn.com/news/gigi-sohn-statement-on-introduction-of-save-the-internet-act/
Mar 7, 2019	U.S. Pauses T-Mobile-Sprint Review in Sign of Fresh Turmoil	Bloomberg	https://www.bloomberg.com/news/articles/2019-03-07/fcc-pauses-review-of-t-mobile-26-billion-bid-for-rival-sprint
Mar 7, 2019	U.S. pauses review of T-Mobile-Sprint deal to examine new arguments	The Seattle Times	https://www.seattletimes.com/business/u-s-pauses-review-of-t-mobile-sprint-deal-to-examine-new-arguments/
Mar 8, 2019	T-Mobile's Late-Game Filing Could Be a Bad Sign for Sprint Deal	Bloomberg	https://www.bloomberg.com/news/articles/2019-03-08/t-mobile-s-late-game-filing-seen-as-bad-sign-for-its-sprint-deal
Mar 12, 2019	Democratic lawmakers rip into T-Mobile CEO over Trump hotel stays	The Washington Post	https://www.washingtonpost.com/technology/2019/03/12/democratic-lawmakers-rip-into-t-mobile-ceo-over-trump-hotel-stays/?noredirect=on
Mar 14, 2019	DirectTV to Hike Prices After Owner AT&T Promised Cheaper Bills	Bloomberg	https://www.bloomberg.com/news/articles/2019-03-14/directv-to-hike-prices-after-owner-at-t-promised-cheaper-bills
Mar 13, 2019	Some Democrats Are Ready to Water Down Their Own Net Neutrality Bill	Vice	https://www.vice.com/en/article/yu84pw/some-dems-are-ready-to-water-down-their-own-net-neutrality-bill
Mar 26, 2019	FCC Claims On Broadband Access Under Scrutiny The Hill	United States Senate	https://www.manchin.senate.gov/newsroom/in-the-news/fcc-claims-on-broadband-access-under-scrutiny
Mar 26, 2019	FCC claims on broadband access under scrutiny	The Hill	https://thehill.com/policy/technology/435741-fcc-claims-on-broadband-access-under-scrutiny
Apr 1, 2019	Why Facebook CEO Mark Zuckerberg is calling for more government regulation	CNET	https://www.cnet.com/news/why-facebook-ceo-mark-zuckerberg-is-calling-for-more-government-regulation/
Apr 2, 2019	The FTC Makes It Clear It Can't, Won't Protect Net Neutrality	Vice	https://www.vice.com/en/article/8zyeb/the-ftc-makes-it-clear-it-can-t-won-t-protect-net-neutrality
Apr 3, 2019	GIGI SOHN STATEMENT ON FULL HOUSE ENERGY AND COMMERCE COMMITTEE VOTE ON HR 1644, THE SAVE THE INTERNET ACT OF 2019	Gigi Sohn Statement	https://gigisohn.com/media/gigi-sohn-statement-on-full-house-energy-and-commerce-committee-vote-on-hr-1644-the-save-the-internet-act-of-2019/
Apr 8, 2019	U.S. House to vote on net neutrality bill on Tuesday	Reuters	https://www.reuters.com/article/us-usa-internet/u-s-house-to-vote-on-net-neutrality-bill-on-tuesday-idUSKCN1RK2CD
Apr 10, 2019	House Passes Bill to Restore Net Neutrality Rules	Variety	https://variety.com/2019/politics/news/net-neutrality-house-passes-bill-1203184636/
Apr 10, 2019	House Net Neutrality Bill Expected to Have Little Chance in Senate	Bloomberg	https://www.bloomberg.com/news/articles/2019-04-10/house-net-neutrality-bill-seen-having-little-chance-in-senate
Apr 10, 2019	GIGI SOHN STATEMENT ON PASSAGE OF HR 1644, THE SAVE THE INTERNET ACT BY THE HOUSE OF REPRESENTATIVES	Gigi Sohn Statement	https://gigisohn.com/media/gigi-sohn-statement-on-passage-of-hr-1644-the-save-the-internet-act-by-the-house-of-representatives/
Apr 22, 2019	Tech Startups Frustrated by Fixation on Facebook, Google in Privacy Debate	National Journal	https://www.nationaljournal.com/s/678255/tech-startups-frustrated-by-fixation-on-facebook-google-in-privacy-debate
May 7, 2019	Tech faces tough choices on rural broadband	The Hill	https://thehill.com/policy/technology/442390-tech-faces-tough-choices-on-rural-broadband/
May 7, 2019	Hillicon Valley: Dem bill would fine credit agencies for breaches Facebook's Sandberg meets senators on privacy Baltimore hit with ransomware attack Dems demand NSA update on surveillance	The Hill	https://thehill.com/policy/technology/overnights/442580-hillicon-valley-dems-target-equifax-in-new-cyber-bill-baltimore/
May 15, 2019	The "Extraordinarily Difficult" Path to a Facebook Breakup	National Journal	https://www.nationaljournal.com/s/678839/the-extraordinarily-difficult-path-to-a-facebook-breakup
May 20, 2019	GIGI SOHN STATEMENT ON CHAIRMAN PAI STATEMENT ON T-MOBILE-SPRINT MERGER	Gigi Sohn Statement	https://gigisohn.com/media/gigi-sohn-statement-on-chairman-pai-statement-on-t-mobile-sprint-merger/
May 20, 2019	FCC Ignores History, Plans to Rubber Stamp T-Mobile/Sprint Merger	Vice	https://www.vice.com/en/article/yuyb5g/fcc-ignores-history-plans-to-rubber-stamp-t-mobilesprint-merger
May 20, 2019	Hillicon Valley: FCC Republicans backing T-Mobile, Sprint merger Tech giants to testify on election security GOP senator offers 'Do Not Track' bill Researchers find coordinated anti-Trump campaign on Instagram	The Hill	https://thehill.com/policy/technology/overnights/444641-hillicon-valley-fcc-chairman-gives-green-light-to-t-mobile

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
May 20, 2019	FCC Chairman Endorses T-Mobile Merger With Sprint	NPR	https://www.npr.org/2019/05/20/725038799/fcc-chairman-endorses-t-mobile-merger-with-sprint
May 20, 2019	T-Mobile's deal for Sprint gets big boost from FCC chief	Reuters U.S. News	https://www.reuters.com/article/us-sprint-corp-na-t-mobile-us/t-mobiles-deal-for-sprint-gets-big-boost-from-fcc-chief-idUSKCN1SQ1CJ
May 21, 2019	Report: DOJ Leaning Against Approving T-Mobile's Takeover of Sprint	Cheddar News	https://cheddar.com/media/report-doj-leaning-against-approving-t-mobiles-takeover-of-sprint
May 21, 2019	T-Mobile's merger promises are meaningless	The Verge	https://www.theverge.com/2019/5/21/18634195/t-mobile-sprint-merger-conditions-access-coverage
May 21, 2019	T-Mobile Under Pressure to Sweeten Sprint Package for DOJ Nod	Bloomberg	https://www.bloomberg.com/news/articles/2019-05-21/t-mobile-under-pressure-to-sweeten-sprint-package-for-doj-nod
May 22, 2019	T-Mobile's \$26 Billion Deal for Sprint Gets Big Boost After FCC Chief Gets Behind It	The Epoch Times	https://www.theepochtimes.com/t-mobiles-26-billion-deal-for-sprint-gets-big-boost-after-fcc-chief-gets-behind-it-2929783.html
May 23, 2019	Of Course FCC Employees Support T-Mobile-Sprint Merger. They Also Blame Russia for American 5G Opposition When Telecoms Won't Say 5G is Safe	Activist Post	https://www.activistpost.com/2019/05/of-course-fcc-employees-support-t-mobile-sprint-merger-they-also-blame-russia-for-american-5g-opposition-when-telecoms-wont-say-5g-is-safe.html
May 23, 2019	Evidence suggests pricing will increase with T-Mobile-Sprint merger, expert says	CNBC	https://www.cnbc.com/video/2019/05/23/sprint-tmobile-merger-ajit-pai-doj-squawk-box.html?&qsearchterm=gigi%20sohn
May 27, 2019	Trump's ban on Chinese telecom giant Huawei could cut off rural Americans' cell service	NBC News	https://www.nbcnews.com/news/us-news/trump-s-ban-chinese-telecom-giant-huawei-could-cut-rural-n1010311
May 28, 2019	How Trump Could Cut Cell Phone Service For Millions Of Rural Americans	Bustle	https://www.bustle.com/p/how-trump-could-cut-cell-phone-service-for-the-people-who-need-it-most-17924514
May 29, 2019	GIGI SOHN STATEMENT ON FCC RELEASE OF 2019 BROADBAND DEPLOYMENT REPORT	Gigi Sohn Statement	https://gigisoohn.com/media/gigi-sohn-statement-on-fcc-release-of-2019-broadband-deployment-report/
May 29, 2019	Hillicon Valley: Pelosi blasts Facebook for not taking down doctored video Democrats push election security after Mueller warning Critics dismiss FCC report on broadband access Uber to ban passengers with FCC released broadband deployment report amid dissent	The Hill	https://thehill.com/policy/technology/overnights/446042-hillicon-valley-pelosi-blasts-facebook-for-inaction-on/
May 29, 2019	American ISPs Are Better Than Ever, FCC Proclaims in Study Based on Flawed Data	Vice	https://www.vice.com/en/article/bj9ypw/american-isps-are-better-than-ever-fcc-proclaims-in-study-based-on-flawed-data
May 30, 2019	Experts are furious over the FCC's rosy picture of broadband access	The Verge	https://www.theverge.com/2019/5/30/18644726/fcc-broadband-report-high-speed-rural-statistics-reactions
May 31, 2019	Maine Lawmakers Send One Of The Country's Toughest Internet Privacy Proposals To The Governor's Desk	Maine Public	https://www.mainepublic.org/post/maine-lawmakers-send-one-countrys-toughest-internet-privacy-proposals-governor-s-desk
Jun 1, 2019	T-Mobile-Sprint Deal in Doubt Over Attempt to Make 3 Equal 4	Bloomberg	https://www.bloomberg.com/news/articles/2019-06-01/t-mobile-sprint-deal-in-doubt-over-attempt-to-make-3-equal-4
Jun 2, 2019	How the U.S. Gov't Shutdown May Slow the FCC's Agenda	Bloomberg	https://www.bloomberg.com/news/videos/2019-01-02/how-the-u-s-gov-t-shutdown-may-slow-the-fcc-s-agenda-video
Jun 6, 2019	GIGI SOHN STATEMENT ON PASSAGE OF MAINE BROADBAND PRIVACY BILL	Personal Site	https://gigisoohn.com/media/gigi-sohn-statement-on-passage-of-maine-broadband-privacy-bill/
Jun 6, 2019	Maine governor signs bill banning Internet providers from selling consumer data without consent	The Hill	https://thehill.com/policy/technology/447345-maine-governor-signs-into-law-bill-to-ban-internet-providers-from-selling/
Jun 7, 2019	Maine Passes Nation's Strictest Internet Privacy Protection Law	US News	https://www.usnews.com/news/best-states/articles/2019-06-07/main-passes-nations-strictest-internet-privacy-protection-law
Jun 11, 2019	Ten state attorneys general are suing to block T-Mobile-Sprint merger	The Verge	https://www.theverge.com/2019/6/11/18661501/t-mobile-sprint-merger-state-attorney-general-lawsuit-block
Jun 11, 2019	Net neutrality has been dead for a year: What you need to know	CNET	https://www.cnet.com/news/net-neutrality-has-been-dead-for-a-year-what-you-need-to-know/
Jun 11, 2019	NY attorney general spearheads new challenge of T-Mobile-Sprint merger	NY Post	https://nypost.com/2019/06/11/ny-attorney-general-spearheads-new-challenge-of-t-mobile-sprint-merger/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jun 11, 2019	GIGI SOHN STATEMENT ON STATE ATTORNEY GENERALS' LAWSUIT TO BLOCK T-MOBILE-SPRINT MERGER	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-state-attorney-generals-lawsuit-to-block-t-mobile-sprint-merger/
Jun 12, 2019	State attorneys general sue to block merger between Sprint and T-Mobile	The Washington Post	https://www.washingtonpost.com/technology/2019/06/11/state-attorneys-general-sue-block-merger-between-sprint-t-mobile/
Jun 12, 2019	New lawsuit poses major threat to T-Mobile, Sprint merger	The Hill	https://thehill.com/regulation/court-battles/448281-new-lawsuit-poses-major-threat-to-t-mobile-sprint-merger/
Jun 13, 2019	Hillicon Valley: Tim Cook visits White House House hearing grapples with deepfake threat Bill, Melinda Gates launch lobbying group Tech turns to K-Street in antitrust fight Lawsuit poses major threat to T-Mobile	The Hill	https://thehill.com/policy/technology/overnights/448482-hillicon-valley-tim-cook-visits-white-house-house-heards-hearing/
Jun 18, 2019	Nothing is Normal About the T-Mobile-Sprint Merger Review	Benton Foundation	https://www.benton.org/blog/nothing-normal-about-t-mobile-sprint-merger-review
Jul 2, 2019	Senator Warren Says Key FCC Cybersecurity Advisory Council Panders to Industry	Vice	https://www.vice.com/en/article/597ekk/senator-warren-says-key-fcc-cybersecurity-advisory-council-panders-to-industry
Jul 9, 2019	Net neutrality was repealed a year ago—what's happened since? (PODCAST)	The Verge	https://www.theverge.com/2019/7/9/20687903/net-neutrality-was-repealed-a-year-ago-whats-happened-since
Jul 15, 2019	Harold Feld Argues That Increased Regulation Will Be More Successful than Breaking Up Big Tech	BroadbandBreakfast.com	http://broadbandbreakfast.com/2019/07/harold-feld-argues-that-increased-regulation-will-be-more-successful-than-breaking-up-big-tech/
Jul 21, 2019	Does Silicon Valley need a new regulator?	Politico	https://www.politico.com/story/2019/07/21/silicon-valley-regulator-tech-companies-1600638
Jul 25, 2019	07-25-19 Bennet, Finkenauer Unveil Plan to Help Close the "Digital Divide" for Rural America	Barn OnAir & OnLine 24/7/365	https://briannallmerradionetwork.wordpress.com/2019/07/25/07-25-19-bennet-finkenauer-unveil-plan-to-help-close-the-digital-divide-for-rural-america/
Jul 26, 2019	GIGI SOHN STATEMENT ON DOJ APPROVAL OF T-MOBILE-SPRINT MERGER	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-doj-approval-of-t-mobile-sprint-merger/
Jul 26, 2019	DOJ approves T-Mobile-Sprint merger	The Hill	https://thehill.com/policy/technology/454653-doj-approves-t-mobile-sprint-merger/
Jul 26, 2019	DOJ approves T-Mobile-Sprint deal with conditions	Axios	https://wwwaxios.com/2019/07/26/doj-approves-t-mobile-sprint-deal-with-conditions
Jul 26, 2019	Justice Department clears T-Mobile-Sprint mega-merger against competition criticisms	Politico	https://www.politico.com/story/2019/07/26/t-mobile-sprint-merger-1622409
Jul 26, 2019	DOJ approves \$26.5B merger between Sprint and T-Mobile	NBC News	https://www.nbcnews.com/business/business-news/doj-approves-25b-merger-between-sprint-t-mobile-n1035026
Jul 26, 2019	T-Mobile And Sprint Merger Finally Wins Justice Department's Blessing	NPR's All Things Considered	https://www.npr.org/2019/07/26/745544033/t-mobile-and-sprint-merger-finally-wins-justice-departments-blessing
Jul 26, 2019	FCC Chief Reaffirms Support for T-Mobile Deal and Sets Up Vote	Bloomberg	https://www.bloomberg.com/news/articles/2019-07-26/fcc-chief-reaffirms-support-for-t-mobile-deal-and-sets-up-vote
Jul 26, 2019	Experts Say the DOJ Justification for T-Mobile/Sprint Merger Approval Is a Joke	Vice	https://www.vice.com/en/article/wjvw55/t-mobile-sprint-merger-is-a-joke
Jul 26, 2019	T-Mobile and Sprint clinch U.S. approval for merger	Financial Times	https://www.ft.com/content/048a149a-f00-11e9-8030-530adfa879c2
Jul 27, 2019	Sprint, T-Mobile merger approved	The Washington Post	https://www.washingtonpost.com/technology/2019/07/26/sprint-t-mobile-receive-merger-approval-department-justice/
Jul 31, 2019	STATEMENT OF GIGI SOHN ON BROADCAST NETWORKS' LAWSUIT AGAINST LOCAST	Personal Site	https://gigisohn.com/media/statement-of-gigi-sohn-on-broadcast-networks-suit-against-locast/
Aug 9, 2019	The Netflix Lobbying Machine: Inside the Effort to Sway Policy Worldwide	The Hollywood Reporter	https://www.hollywoodreporter.com/news/netflix-lobbying-machine-inside-effort-sway-policy-worldwide-1229622
Sep 23, 2019	Moving Backwards: Consolidation, deregulation & lack of accountability in the U.S. media and broadband industries	Benton Foundation	https://www.benton.org/blog/moving-backwards-consolidation-deregulation-lack-accountability-us-media-and-broadband
Sep 24, 2019	Court Says FCC Ignored Hard Data in Rush to Help Media Monopolies	Vice	https://www.vice.com/en/article/vb5zg4/court-says-fcc-ignored-hard-data-in-rush-to-help-media-monopolies
Sep 27, 2019	Study Proves The FCC's Core Justification for Killing Net Neutrality Was False	Vice	https://www.vice.com/en/article/kz4g9x/study-proves-the-fccs-core-justification-for-killing-net-neutrality-was-false

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Oct 1, 2019	Appeals court largely upholds FCC on ending net neutrality	Axios	https://www.axios.com/2019/10/01/net-neutrality-appeals-court-uphold-fcc
Oct 1, 2019	Courts Mostly Back FCC Assault on Net Neutrality	Vice	https://www.vice.com/en/article/3kx5a9/courts-mostly-back-fcc-assault-on-net-neutrality
Oct 1, 2019	Congress and Trump Agree They Want a National Privacy Law. It Is Nowhere in Sight.	The New York Times	https://www.nytimes.com/2019/10/01/technology/national-privacy-law.html
Oct 1, 2019	The Last Hope for Net Neutrality	Slate	https://slate.com/technology/2019/10/federal-net-neutrality-is-dead.html
Oct 1, 2019	Court upholds FCC's net neutrality repeal, rules states may set their own rules	SiliconANGLE	https://siliconangle.com/2019/10/01/court-upholds-fccs-net-neutrality-repeal-rules-states-may-set-rules/
Oct 1, 2019	Net neutrality's ultimate champion keeps on fighting	CNET	https://www.cnet.com/tech/tech-industry/features/net-neutrality-is-far-from-dead-for-california-senator-scott-wiener/#flag=CAD-06-10abe3d
Oct 2, 2019	Net neutrality battle moves to the states	CNET	https://www.cnet.com/news/net-neutrality-battle-moves-to-the-states/
Oct 3, 2019	Tech Expert Gigi Sohn: California's Data Privacy Law is now the national standard	The Hill TV	https://thehill.com/hilift/rising/464176-tech-expert-gigi-sohn-californias-data-privacy-law-is-now-the-national-standard/
Oct 3, 2019	The FCC's argument for repealing net neutrality has no evidence	PressFrom	https://pressfrom.info/us/news/science-and-technology/-332699-the-fcc-s-argument-for-repealing-net-neutrality-has-no-evidence.html
Oct 8, 2019	Trump and FCC's Pai lunched after net neutrality decision	Axios	https://www.axios.com/2019/10/08/trump-and-fccs-pai-lunched-after-net-neutrality-decision
Oct 8, 2019	Login—October 8, 2019—Axios	Axios	https://www.axios.com/newsletters/axios-login-195d5c0-2964-4858-ac88-5aa17ee93d.html
Oct 8, 2019	The Communicators: Communicators Roundtable on Internet Regulation Court Decision	CSPAN	https://www.cspan.org/video/465042-1/communicators-roundtable-internet-regulation-court-decision
Oct 16, 2019	GIGI SOHN STATEMENT ON FCC APPROVAL OF T-MOBILE-SPRINT MERGER	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-fcc-approval-of-t-mobile-sprint-merger/
Oct 18, 2019	FCC approves T-Mobile, Sprint merger	Smart Cities Dive	https://www.smartcitiesdive.com/news/fcc-approves-t-mobile-sprint-merger/565342/
Oct 22, 2019	Will the Sprint and T-Mobile merger create competition? (PODCAST)	The Verge	https://www.theverge.com/2019/10/22/20924775/podcast-interview-gigi-sohn-net-neutrality-sprint-tmobile-merger-carrier-competition-vergecast
Oct 23, 2019	FCC Study Declares U.S. Broadband Is Wonderful, Nothing to See Here	Vice	https://www.vice.com/en/article/pa7uk9/fcc-study-declares-us-broadband-is-wonderful-nothing-to-see-here
Oct 23, 2019	GIGI SOHN STATEMENT ON FCC RELEASE OF BROADBAND DEPLOYMENT REPORT NOTICE OF INQUIRY	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-fcc-release-of-broadband-deployment-report-notice-of-inquiry/
Nov 5, 2019	Against All Common Sense, FCC Approves T-Mobile-Sprint Merger	Vice	https://www.vice.com/en/article/yuajnu/against-all-common-sense-fcc-approves-t-mobile-sprint-merger
Nov 5, 2019	FCC approves T-Mobile/Sprint merger despite serious concerns—TechCrunch	TechCrunch	https://techcrunch.com/2019/11/05/fcc-approves-t-mobile-sprint-merger-despite-serious-concerns/
Nov 5, 2019	GIGI SOHN STATEMENT ON RELEASE OF FCC ORDER APPROVING T-MOBILE-SPRINT MERGER	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-release-of-fcc-order-approving-t-mobile-sprint-merger/
Nov 8, 2019	The Lawyer Behind Google's Strategy on Antitrust, China and Everything	Bloomberg	https://www.bloomberg.com/news/articles/2019-11-08/the-lawyer-behind-google-s-strategy-on-antitrust-china-and-everything
Nov 18, 2019	T-Mobile's John Legere Was Never a 'Cool CEO'	Vice	https://www.vice.com/en/article/43k973/t-mobiles-john-legere-was-never-a-cool-ceo
Nov 20, 2019	Killing Net Neutrality Was Even Worse Than You Think	Medium	https://onezero.medium.com/killing-net-neutrality-was-even-worse-than-you-think-132a21aab55a?gi=a9340da68bf4
Nov 20, 2019	The not so good, very bad and really weird merger of t-mobile and sprint	Benton Foundation	https://www.benton.org/blog/not-so-good-very-bad-and-really-weird-merger-t-mobile-and-sprint
Nov 23, 2019	Sprint may soon be a dead brand one way or another	CNN-US	https://us.cnn.com/2019/11/23/tech/sprint-history-tmobile-merger/index.html
Nov 26, 2019	What's next for Federal privacy legislation	Politico	https://www.politico.com/newsletters/morning-tech/2019/11/26/whats-next-for-federal-privacy-legislation-783095
Nov 26, 2019	GIGI SOHN STATEMENT ON INTRODUCTION OF THE CONSUMER ONLINE PRIVACY RIGHTS ACT OF 2019	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-introduction-of-the-consumer-online-privacy-rights-act-of-2019/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Nov 27, 2019	U.S. Justice Dept closes antitrust probe over wireless carrier-switching technology	Reuters	https://www.reuters.com/article/us-usa-telecommunications-antitrust/u-s-justice-dept-closes-antitrust-probe-over-wireless-carrier-switching-technology-idUSKBN1Y12FP
Dec 5, 2019	FCC Says Wireless Carriers Lie About Coverage 40 percent of the Time	Vice	https://www.vice.com/en/article/pa77y9/fcc-says-wireless-carriers-lie-about-coverage-40-of-the-time
Dec 5, 2019	New rash of privacy bills working its way through the Senate	Washington Examiner	https://www.washingtonexaminer.com/policy/technology/new-rash-of-privacy-bills-working-its-way-through-the-senate
Dec 5, 2019	5G could change the world. 5G is also marketing hype.	The Numbers—Marketplace from American Public	https://www.marketplace.org/2019/12/05/5g-could-change-the-world-5g-is-also-marketing-hype/
Dec 13, 2019	Net neutrality supporters ask court to reconsider ruling that upheld FCC repeal	The Washington Post	https://www.washingtonpost.com/technology/2019/12/13/net-neutrality-supporters-ask-court-reconsider-ruling-that-upheld-fcc-repeal/
Dec 14, 2019	Why flawed broadband speed tests have devastating consequences	CNET	https://www.cnet.com/news/why-flawed-broadband-speed-tests-have-devastating-consequences/
Jan 2, 2020	A Facebook divided, with Trump as the backdrop	Politico	https://www.politico.com/newsletters/morning-tech/2020/01/02/a-facebook-divided-with-trump-as-the-backdrop-788129
Jan 2, 2020	Trump's unexpected ally in the fight against tech	Politico	https://www.politico.com/news/2020/01/02/trump-tech-fight-fcc-295422
Jan 2, 2020	Login—January 2, 2020—Axios	Axios	https://wwwaxios.com/news/axios-login-2936b8df151e41d7-bd88-947495878da4.html
Jan 2, 2020	States will be the battlegrounds for 2020 tech policy fights	Axios	https://wwwaxios.com/2020/01/02/states-2020-tech-policy-fights
Jan 7, 2020	De Blasio Administration Releases Internet Master Plan For City's Broadband Future	Welcome to NYC.gov	https://www1.nyc.gov/office-of-the-mayor/news/01/20/de-blasio-administration-releases-internet-master-plan-city-s-broadband-future
Jan 7, 2020	STATEMENT: SOHN PRAISES NEW YORK CITY'S "THOUGHTFUL AND COMPREHENSIVE" INTERNET MASTER PLAN	Personal Site	https://gigisohn.com/media/statement-sohn-praises-new-york-citys-thoughtful-and-comprehensive-internet-master-plan/
Jan 8, 2020	NYC broadband plan calls for fiber everywhere, with ISPs sharing network	Ars Technica	https://arstechnica.com/tech-policy/2020/01/nyc-broadband-plan-calls-for-fiber-everywhere-with-isps-sharing-network/
Jan 9, 2020	New York Has a Plan to Fix Broadband by Introducing Actual Competition	Vice	https://www.vice.com/en/article/n7jbnk/new-york-has-a-plan-to-fix-broadband-by-introducing-actual-competition
Jan 12, 2020	West Virginia to Pursue Research for Alternative Uses of Coal	Route Fifty	https://www.routefifty.com/management/2020/01/west-virginia-coal-alternatives/162368/
Jan 28, 2020	State of Broadband 2020	Benton Foundation	https://www.benton.org/blog/state-broadband-2020
Jan 29, 2020	Written Testimony Before House E&C	Docs.House.Gov	https://docs.house.gov/meetings/IF/IF16/20200129/110416/HHRG-116-IF16-Wstate-SohnG-20200129.pdf
Feb 3, 2020	What the Iowa Caucus means for getting Iowa online	The Verge	https://www.theverge.com/2020/2/3/21117306/iowa-caucus-rural-broadband-access-election-campaign-sanders-warren
Feb 7, 2020	WARNER CO-LEADS BILL TO EXPAND ACCESS TO AFFORDABLE HIGH-SPEED INTERNET	The Hampton Roads Messenger	http://hamptonroadsmessenger.com/posts/warner-co-leads-bill-to-expand-access-to-affordable-high-speed-internet/
Feb 11, 2020	SOHN DENOUNCES JUDGE'S RULING IN T-MOBILE-SPRINT MERGER TRIAL	Personal Site	https://gigisohn.com/media/sohn-denounces-judges-ruling-in-t-mobile-sprint-merger-trial/
Feb 11, 2020	Federal judge approves T-Mobile's \$26.5B takeover of Sprint	Tampa Bay Times	https://www.tampabay.com/news/business/2020/02/11/federal-judge-approves-t-mobiles-265b-takeover-of-sprint/
Feb 11, 2020	The T-Mobile Sprint Merger Just Got Rubber Stamped and We All Lose	Vice	https://www.vice.com/en/article/4agnan/the-t-mobile-sprint-merger-just-got-rubber-stamped-and-we-all-lose
Feb 11, 2020	Ruling on T-Mobile's \$26.5B Sprint bid sets up Colorado telecom to become fourth wireless carrier	The Denver Post	https://www.denverpost.com/2020/02/11/dish-tmobile-sprint-merger-ruling/
Feb 11, 2020	T-Mobile's \$26.5B takeover of Sprint clears major court hurdle	The Chicago Tribune	https://www.chicagotribune.com/business/ct-biz-t-mobile-sprint-merger-20200211-3qkxp6f6uurd-snkx3zpiib66coi-story.html
Feb 11, 2020	How the courts could thwart a Silicon Valley crackdown	Politico	https://www.politico.com/news/2020/02/11/silicon-valley-fcc-courts-114232
Feb 11, 2020	What does the T-Mobile and Sprint merger mean for you?	NBCNEWS.com	https://www.nbcnews.com/business/business-news/what-does-t-mobile-sprint-merger-mean-you-n1135086

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Feb 12, 2020	T-Mobile-Sprint merger critic voices her concern for consumers	CNBC Squak Box	https://www.cnbc.com/video/2020/02/12/t-mobile-sprint-merger-critic-voices-her-concern-for-consumers.html
Feb 14, 2020	Sprint/T-Mobile merger could lead to thousands of job losses, despite regulator promises	NBC News	https://www.nbcnews.com/business/consumer/sprint-t-mobile-merger-could-lead-thousands-job-losses-despite-n1134956
Feb 19, 2020	Big Telecom Say It Has First Amendment Right to Sell Your Private Data	Vice	https://www.vice.com/en_us/article/qidza5/big-telecom-say-it-has-first-amendment-right-to-sell-your-private-data
Feb 21, 2020	Here's Another Chance to Weigh In on the FCC's Net Neutrality Repeal	Wired	https://www.wired.com/story/another-chance-weigh-fcc-net-neutrality-repeal/
Feb 28, 2020	GIGI SOHN STATEMENT ON FCC'S DECISION TO FINE WIRELESS CARRIERS FOR SELLING CUSTOMER LOCATION INFORMATION: "AMERICANS DESERVE BETTER"	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-fccs-decision-to-fine-wireless-carriers-for-selling-customer-location-information-americans-deserve-better/
Feb 28, 2020	The FCC Fines Wireless Companies for Selling Users' Location Data	Wired	https://www.wired.com/story/fcc-fines-wireless-companies-selling-users-location-data/
Mar 10, 2020	As coronavirus closes schools and pushes classes online, it's exposing hard truths about the digital divide, FCC commissioner says	Fortune	https://fortune.com/2020/03/10/coronavirus-online-school-closings-digital-divide/
Mar 12, 2020	U.S. tech giants to be taxed by U.K.	Politico	https://www.politico.com/newsletters/morning-tech/2020/03/12/us-tech-giants-to-be-taxed-by-uk-786028
Mar 12, 2020	House Judiciary Committee Testimony: The State of Competition in the Wireless Market: Examining the Impact of the Proposed Merger of T-Mobile and Sprint on Consumers, Workers, and the Internet	Congress.gov	https://www.congress.gov/116/meeting/house/109053/witnesses/HHRG-116-JU05-Wstate-SohnG-20190312.pdf
Mr 13, 2020	GIGI SOHN STATEMENT ON FCC CHAIRMAN PAI'S KEEP AMERICA CONNECTED PLEDGE: BROADBAND INDUSTRY AND FCC MUST DO MORE	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-on-fcc-chairman-pais-keep-america-connected-pledge-broadband-industry-and-fcc-must-do-more/
Mar 16, 2020	Working or learning from home: Telecoms give boost in bandwidth to keep us online	USA Today	https://www.usatoday.com/story/tech/columnist/2020/03/16/work-home-how-telecoms-supporting-america-working-from-home/5054930002/
Mar 18, 2020	WiFi May Slow, But Low-Income Access Is Key COVID-19 Issue	Law360	https://www.law360.com/media/articles/1254750/wifi-may-slow-but-low-income-access-is-key-covid-19-issue
Mar 20, 2020	Why the coronavirus pandemic may fast-forward 5G adoption in the US	CNBC	https://www.cnbc.com/2020/03/20/why-the-coronavirus-pandemic-may-fast-forward-5g-adoption-in-the-us.html
Mar 23, 2020	5G Won't Help Rural Americans Shelter in Place	Bloomberg	https://www.bloomberg.com/opinion/articles/2020-03-23/coronavirus-shows-rural-internet-needs-come-before-5g#!leadSource=uverify%20wall
Mar 24, 2020	Libraries Want to Turn Bookmobiles Into Free WiFi Trucks During Coronavirus Lockdown	Vice	https://www.vice.com/en/article/z3b54j/libraries-want-to-turn-bookmobiles-into-free-wifi-trucks-during-coronavirus-lockdown
Mar 26, 2020	Pandemic telecommuting proves difficult—or impossible—for millions in 'digital divide'	Fox News	https://www.foxnews.com/tech/coronavirus-working-from-home-digital-divide
Mar 26, 2020	The Achievement Gap is 'More Glaring Than Ever' For Students Dealing with School Closures	TIME Magazine	https://time.com/5810503/coronavirus-achievement-gap-schools/
Mar 26, 2020	In the 'Year of 5G,' Many Americans Still Struggle to Get Online	Bloomberg	https://www.bloomberg.com/news/articles/2020-03-26/in-the-year-of-5g-many-americans-still-struggle-to-get-online
Mar 30, 2020	Pandemic telecommuting proves difficult—or impossible—for millions in 'digital divide'	Fox News	https://www.foxnews.com/tech/coronavirus-working-from-home-digital-divide
Mar 31, 2020	10 Years After the National Broadband Plan: A Look Back and Forward	Tech on the Rocks Podcast	https://glenecho.libsyn.com/10-years-after-the-national-broadband-plan-a-look-back-and-forward
Apr 4, 2020	Enlisting tech to fight coronavirus sparks surveillance fears	The Hill	https://thehill.com/policy/cybersecurity/491134-enlisting-tech-to-fight-coronavirus-sparks-surveillance-fears

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Apr 6, 2020	Hillicon Valley: Coronavirus tracking sparks surveillance concerns Target delivery workers plan Tuesday walkout Federal agency expedites mail-in voting funds to states YouTube cracks down on 5G	The Hill	https://thehill.com/policy/cybersecurity/overnights/491453-hillicon-valley-coronavirus-surveillance-leads-to-privacy
Apr 11, 2020	The Internet is surviving the pandemic—let the feuding begin	Politico Pro	https://subscriber.politicopro.com/article/2020/04/11/internet-surviving-pandemic-feuding-begin-179611
Apr 12, 2020	Ergen's wireless network plans dim amid coronavirus pandemic	New York Post	https://nypost.com/2020/04/12/ergens-wireless-network-plans-dim-amid-coronavirus-pandemic/
Apr 12, 2020	Joe Biden's views on tech	CNET	https://www.cnet.com/news/joe-biden-views-on-tech-presumptive-democratic-presidential-nominee/
Apr 13, 2020	Remembering Henry Geller	Benton Foundation	https://www.benton.org/blog/remembering-henry-geller
Apr 24, 2020	GIGI SOHN STATEMENT: FCC'S BROADBAND DEPLOYMENT REPORT "DEFIES REALITY"	Personal Site	https://gigisohn.com/media/gigi-sohn-statement-fccs-broadband-deployment-report-defies-reality/
Apr 27, 2020	Ajit Pai uses bad data to claim ISPs are deploying broadband to everyone	Ars Technica	https://arstechnica.com/tech-policy/2020/04/ajit-pai-uses-bad-data-to-claim-isps-are-deploying-broadband-to-everyone/
Apr 29, 2020	FCC commissioners disagree sharply on state of broadband	Smart Cities Dive	https://www.smartcitiesdive.com/news/fcc-broadband-deployment-report-internet/576950/
Apr 29, 2020	Local Broadband Needs in the Age of COVID-19	Tech on the Rocks Podcast	https://glenecho.libsyn.com/gt-tech-on-the-rocks-episode-2
Apr 30, 2020	Dems on FCC take issue with claims the digital divide is narrowing	CNET	https://www.cnet.com/news/dems-on-fcc-take-issue-with-claims-the-digital-divide-is-narrowing/
May 1, 2020	Virtual School Leaves Kids Behind, Sparking New Broadband Push	Bloomberg	https://www.bloomberg.com/news/articles/2020-05-01/virtual-school-leaves-kids-behind-sparking-new-broadband-push
May 4, 2020	Lack of accurate maps could paralyze Democrats' COVID-19 broadband buildout	National Journal	https://www.nationaljournal.com/s/706544#unlock=3TLT2WWMGWFX9TS&unlock=TPJX4NEX7ZR489JW
May 12, 2020	SOHN WELCOMES HOUSE COVID-19 STIMULUS BILL THAT INCLUDES FUNDING FOR AFFORDABLE BROADBAND INTERNET ACCESS AND THE "EDUCATION GAP"	Personal Site	https://gigisohn.com/media/sohn-welcomes-house-covid-19-stimulus-bill-that-includes-funding-for-affordable-broadband-internet-access-and-the-education-gap/
May 12, 2020	House Democrats want \$5.5 billion for pandemic broadband funding	The Verge	https://www.theverge.com/2020/5/12/21256466/house-democrats-nancy-pelosi-broadband-infrastructure-heroes-act-trillion-billion
May 12, 2020	New coronavirus relief bill includes funding to help families get cheaper Internet access	NBC News	https://www.nbcnews.com/health/health-news/live-blog/2020-05-12-corona-virus-news-n1204961/#blogHeader
May 12, 2020	U.S. tech giants to be taxed by U.K.	Politico	https://www.politico.com/newsletters/morning-technology/2020/03/12/us-tech-giants-to-be-taxed-by-uk-786028
May 12, 2020	Comcast, AT&T, and Verizon Should Suspend Data Caps Because of Coronavirus	Vice	https://www.vice.com/en/article/big37m/comcast-at-and-verizon-should-suspend-data-usage-caps-overage-fees-coronavirus
May 17, 2020	America's surprising breeding ground for inequality: The internet	CNN.com	https://www.cnn.com/2020/05/17/economy/internet-access-universal-wifi/index.html
May 21, 2020	Online Learning in the Age of COVID-19: What's it Like on the Ground?	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
May 22, 2020	Who's advising Joe Biden on tech policy? No one in particular.	Protocol	https://www.protocol.com/joe-biden-campaign-tech-policy-leadership
May 28, 2020	Experts say Trump's threats to Twitter have little legal standing—but they detract from COVID-19 efforts	Fortune	https://fortune.com/2020/05/28/trump-executive-order-twitter-social-media-section-230/
May 29, 2020	Trump's social-media order draws attacks but shifts attention from pandemic, economic struggles	San Antonio Express-News	https://www.mysanantonio.com/news/article/Trump-s-social-media-order-draws-attacks-but-15302923.php
May 29, 2020	Trump Social-Media Order May Fail, But Wins Political Points	Bloomberg	https://www.bloomberg.com/news/articles/2020-05-29/trump-s-social-media-order-may-fail-but-scores-political-points
May 29, 2020	Former FCC Advisor Weighs in on Trump Preparing to Sign Executive Order Targeting Social Media	Cheddar News	https://cheddar.com/media/former-fcc-advisor-weighs-in-on-trump-preparing-to-sign-executive-order-targeting-social-media
May 30, 2020	Trump social media order starts off on shaky legal ground	The Hill	https://thehill.com/policy/technology/500221-trump-social-media-order-starts-off-on-shaky-legal-ground

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
May 31, 2020	How Trump got the FCC involved in his war against Twitter	CNET	https://www.cnet.com/news/how-trump-got-the-fcc-involved-in-his-war-against-twitter/
Jun 2, 2020	Trump's unexpected ally in the fight against tech	Politico Pro	https://subscriber.politicopro.com/article/2020/06/02/trump-tech-fight-fcc-295422
Jun 2, 2020	A Facebook divided, with Trump as the backdrop	Politico Pro	https://subscriber.politicopro.com/newsletter/2020/06/02/a-facebook-divided-with-trump-as-the-backdrop-78129
Jun 3, 2020	Coronavirus has highlighted America's need for universal broadband access	WKBW	https://www.wkbw.com/news/national/coronavirus-has-highlighted-americas-need-for-universal-broadband-access
Jun 8, 2020	Trump's unexpected allies in the fight against Twitter and censorship: Facebook and the FCC	Washington Examiner	https://www.washingtonexaminer.com/news/trumps-unexpected-allies-in-the-fight-against-twitter-and-censorship-facebook-and-the-fcc
Jun 9, 2020	Senate Republicans pressure FCC to tackle Silicon Valley liability protections	Politico Pro	https://subscriber.politicopro.com/article/2020/06/senate-republicans-pressure-fcc-to-tackle-silicon-valley-liability-protections-1949001
Jun 22, 2020	How the US' massive failure to close digital divide got exposed by coronavirus	Reveal	https://www.revealnews.org/article/how-the-us-massive-failure-to-close-digital-divide-got-exposed-by-coronavirus/
Jun 22, 2020	Did the Pandemic End the Techlash? Trump Answers My Question	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Jun 24, 2020	SOHN PRAISES "ACCESSIBLE, AFFORDABLE INTERNET FOR ALL ACT"	Gigi Sohn's website	https://gigisohn.com/media/sohn-praises-accessible-affordable-internet-for-all-act/
Jun 30, 2020	The Most Important Privacy Case You've Never Heard of	Tech Dirt	https://www.techdirt.com/2020/06/30/most-important-privacy-case-youve-never-heard-gigi-sohn-jeff-gary/
Jul 1, 2020	SOHN APPLAUDS SENATOR KLOBUCHAR'S ACCESSIBLE, AFFORDABLE INTERNET FOR ALL ACT	Gigi Sohn's website	https://gigisohn.com/media/sohn-applauds-senator-klobuchars-accessible-affordable-internet-for-all-act/
Jul 5, 2020	Tip of the Iceberg: How Law Enforcement Surveils Protestors & Communities of Color	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Jul 6, 2020	Broadband's underused lifeline for low-income users	Axios	https://wwwaxios.com/2020/7/06/fcc-lifeline-broadband-underused-during-coronavirus-pandemic
Jul 7, 2020	SOHN STATEMENT ON MAINE JUDGE'S ORDER REJECTING BROADBAND INDUSTRY'S PREEMPTION AND FIRST AMENDMENT CHALLENGES TO BROADBAND PRIVACY LAW	Gigi Sohn's website	https://gigisohn.com/media/sohn-statement-on-maine-judges-order-rejecting-broadband-industrys-preemption-and-first-amendment-challenges-to-broadband-privacy-law/
Jul 8, 2020	Critics brace for Facebook's civil rights audit	Politico	https://www.politico.com/newsletters/morning-tech/2020/07/08/critics-brace-for-facebooks-civil-rights-audit-789022
Jul 15, 2020	Connectivity in the Time of COVID: Will Congress Ever Close the Digital Divide?	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Jul 25, 2020	Inside Amazon, Apple, Facebook and Google versus the Feds	Yahoo! Finance	https://finance.yahoo.com/news/amazon-apple-facebook-alphabet-google-versus-the-feds-114945779.html
Jul 26, 2020	Broadbanded: Still no affordable fix for a broadband Internet connection just out of reach	USA Today	https://www.usatoday.com/story/tech/columnist/2020/07/26/high-cost-of-getting-broadband-internet-for-some/5498679002/
Jul 27, 2020	SOHN STATEMENT ON THE DIGITAL RESERVATIONS ACT	Gigi Sohn's website	https://gigisohn.com/media/sohn-statement-on-the-digital-reservations-act/
Jul 28, 2020	The Technology 202: Republicans poised to reignite claims of political bias at big tech hearing	The Washington Post	https://www.washingtonpost.com/politics/2020/07/28/republicans-poised-reignite-claims-political-bias-big-tech-hearing/
Jul 29, 2020	Amazon, Apple, Facebook and Google Prepare for Their 'Big Tobacco Moment'	The New York Times	https://www.nytimes.com/2020/07/28/technology/amazon-apple-facebook-google-antitrust-hearing.html
Jul 29, 2020	Amazon, Apple, Facebook and Google Prepare for Their 'Big Tobacco Moment'	The Chicago Tribune	https://www.chicagotribune.com/consumer-reviews/sns-nyt-amazon-apple-facebook-google-antitrust-hearing-20200729-oghiqu4bjfa4zinxex2rdfhiqz-story.html
Jul 29, 2020	The Technology 202: Here's your guide to today's blockbuster tech antitrust hearing	The Washington Post	https://www.washingtonpost.com/politics/2020/07/29/technology-202-here-your-guide-today-blockbuster-tech-antitrust-hearing/
Jul 29, 2020	How another video of COVID-19 misinformation went viral on Facebook	The Verge	https://www.theverge.com/interface/2020/7/29/21345138/facebook-viral-hydroxychloroquine-video-removal-trump-junior-stella-immanuel
Aug 2, 2020	The great broadband divide: Living without high-speed Internet access	CBS News	https://www.cbsnews.com/news/the-great-broadband-divide-living-without-high-speed-internet-access/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Aug 4, 2020	Agree to Disagree: Broadband for All?	IntelligenceSquared Debates	https://www.youtube.com/watch?v=SU60uks5g-Ms
Aug 4, 2020	Is Microsoft Sure It Wants to Buy TikTok?	The New York Times	https://www.nytimes.com/2020/08/04/opinion/tiktok-microsoft-trump.html
Aug 5, 2020	The Technology 202: Microsoft's possible acquisition of TikTok could also bring increased Washington scrutiny	The Washington Post	https://www.washingtonpost.com/politics/2020/08/05/technology-202-microsoft-possible-acquisition-tiktok-could-also-bring-increased-washington-scrutiny/
Aug 7, 2020	Trump Push to Rein in Social Media Hampered by Own Turn on Ally	Bloomberg Law	https://news.bloomberglaw.com/tech-and-telecom-law/trump-push-to-rein-in-social-media-hampered-by-own-turn-on-ally
Aug 10, 2020	Content Moderation & Section 230: Why One Size Doesn't Fit All	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Aug 11, 2020	The great broadband divide: Living without high-speed Internet access	CBS News	https://www.cbsnews.com/news/the-great-broadband-divide-living-without-high-speed-internet-access/
Aug 31, 2020	Tech on the Rocks Episode 8: Back to School Without Broadband: The Digital Divide and the Fall Semester	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Sep 10, 2020	How to make broadband affordable and accessible for everyone	CNN Business Perspectives	https://www.cnn.com/2020/09/09/perspectives/broadband-internet-affordable-accessible/index.html
Sep 21, 2020	Joe Biden's views on tech	CNET	https://www.cnet.com/news/joe-biden-views-on-tech-democratic-presidential-nominee/
Sep 23, 2020	DOJ proposes congressional fix of Section 230 as Trump turns up heat on Big Tech	CNET	https://www.cnet.com/news/doj-proposes-congressional-fix-of-section-230-as-trump-turns-up-heat-on-big-tech/
Sep 25, 2020	What Amy Coney Barrett on the Supreme Court would mean for the future of tech	Protocol	https://www.protocol.com/supreme-court-nominee-future-of-tech
Oct 3, 2020	AT&T shelving DSL may leave hundreds of thousands hanging by a phone line	USA Today	https://www.usatoday.com/story/tech/columnist/2020/10/03/att-dsl-internet-digital-subscriber-line-outdated/5880219002/
Oct 4, 2020	FCC, broadcasters get top court hearing on ownership rules	Fairbanks Daily News-Miner	http://www.newsminer.com/business/fcc-broadcasters-get-top-court-hearing-on-ownership-rules/article21bb3fc04e7-11eb-917d-1fe5a93cca07.html
Oct 6, 2020	AT&T's Decision To Kill DSL Could Leave Millions Without Broadband	Vice	https://www.vice.com/en/article/uxqvkq/attands-decision-to-kill-dsl-could-leave-millions-without-broadband
Oct 6, 2020	SOHN PRAISES BIG, BOLD AND BIPARTISAN SUBCOMMITTEE REPORT ON BIG TECH AND ANTITRUST	Gigi Sohn's website	https://gigisohn.com/media/sohn-praises-big-bold-and-bipartisan-subcommittee-report-on-big-tech-and-antitrust/
Oct 20, 2020	Is our Election Technology Safe and Secure? (Part I)	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Oct 22, 2020	Washington Swamp Creatures Compete for Multi-Billion Dollar 5G Spectrum	Vice	https://www.vice.com/en/article/jgqxq7/washington-swamp-creatures-compete-for-multi-billion-dollar-5g-spectrum
Oct 26, 2020	Biden Win Could Curb Deals, Revive Net Neutrality in FCC Pivot	Bloomberg	https://www.bloomberg.com/news/articles/2020-10-26/biden-win-could-curb-deals-revive-net-neutrality-in-fcc-pivot
Oct 28, 2020	Google, Facebook, and Twitter CEOs face changes to Section 230 media law protections	CNET	https://www.cnet.com/news/google-facebook-and-twitter-ceos-face-changes-to-section-230-media-law-protections/
Oct 28, 2020	Is our Election Technology Safe and Secure? (Part II)	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Oct 29, 2020	What's Section 230? Everything you need to know about free speech on social media	CNET	https://www.cnet.com/news/whats-section-230-everything-you-need-to-know-about-free-speech-on-social-media/
Oct 29, 2020	The Tech Antitrust Problem No One Is Talking About	Wired	https://www.wired.com/story/tech-antitrust-problem-no-one-is-talking/
Oct 31, 2020	The tech antitrust problem no one is talking about	Ars Technica	https://arstechnica.com/tech-policy/2020/10/the-tech-antitrust-problem-no-one-is-talking-about/
Nov 8, 2020	As the Trump era comes to an end, what happens to Big Tech?	Los Angeles Times	https://www.latimes.com/business/story/2020-11-08/biden-technology-industry-regulation-antitrust
Nov 10, 2020	What'd You Miss?	Bloomberg TV	https://www.bloomberg.com/news/videos/2020-11-10/-what-d-you-miss-full-show-11-10-2020-video
Nov 10, 2020	Biden's Relationship with Big Tech Will Be Different This Time Around: Georgetown's Gigi Sohn	Bloomberg TV	https://www.bloomberg.com/news/videos/2020-11-10/biden-s-relationship-with-big-tech-will-be-different-this-time-around-georgetown-s-gigi-sohn-video

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Nov 10, 2020	Joe Biden Gives Big Tech a Different Kind of Washington Problem	Bloomberg	https://www.bloomberg.com/news/articles/2020-11-10/don-t-expect-joe-biden-to-embrace-big-tech-like-barack-obama-did
Nov 11, 2020	Ajit Pai urged to accept Trump loss and stop controversial rulemakings	Ars Technica	https://arstechnica.com/tech-policy/2020/11/ajit-pai-urged-to-accept-trump-loss-and-stop-controversial-rulemakings/
Nov 11, 2020	As the Trump era comes to an end, what happens to Big Tech?	Northwest Georgia News	https://www.northwestgeorgianews.com/associatedpress/business/as-the-trump-era-comes-to-an-end-what-happens-to-big-tech/article_435b079a-fee9-5d5e-8700-98ef6aea45e6.html
Nov 13, 2020	The fight over Trump's FCC pick	Axios	https://wwwaxios.com/trump-fcc-pick-fight-senate-c53a6099-7684-4994-9b5b-a83a8d22b180.html
Nov 16, 2020	Contract Tracing in a COVID Surge—Operational or Aspirational?	Tech on the Rocks Podcast	https://glenecho.libsyn.com/
Nov 17, 2020	What's Section 230? Everything you need to know about free speech on social media	The Union Journal	https://theunionjournal.com/whats-section-230-everything-you-need-to-know-about-free-speech-on-social-media/
Nov 30, 2020	In Fits and Starts, De Blasio Moves Toward Internet Goal Set in 2014	Gotham Gazette	https://www.gothamgazette.com/city/9942-fits-starts-de-blasio-universal-internet-goal-set-2014
Dec 2, 2020	Republican Plan to Keep the Internet Screwed Under Biden Moves Ahead	Gizmodo	https://gizmodo.com/republican-plan-to-keep-the-internet-screwed-under-biden-1845793856
Dec 3, 2020	Net neutrality fight is about to come roaring back	CNET	https://www.cnet.com/news/net-neutrality-fight-is-about-to-come-roaring-back/
Dec 4, 2020	The GOP's Tech Strategy Is About to Change	Bloomberg	https://www.bloomberg.com/news/newsletters/2020-12-04/the-new-fcc-how-the-gop-s-tech-strategy-is-about-to-change
Dec 10, 2020	'It's not going away.' Pressure on Facebook likely to continue under Biden administration	Los Angeles Times	https://www.latimes.com/business/technology/story/2020-12-10/regulatory-pressure-on-facebook-is-likely-to-continue-under-biden
Dec 16, 2020	US Tech Industry Pins Hopes on New President	Voice of America	https://www.voanews.com/silicon-valley-technology/us-tech-industry-pins-hopes-new-president
Dec 21, 2020	SOHN CHEERS INCLUSION OF "HISTORIC" EMERGENCY BROADBAND BENEFIT IN COVID-19 RELIEF BILL	Personal Website	http://gigisohn.com/media/sohn-cheers-inclusion-of-historic-emergency-broadband-benefit-in-covid-19-relief-bill
Dec 21, 2020	Relief Bill Has \$7 Billion to Expand Broadband, Thwart Huawei	Bloomberg	https://www.bloomberg.com/news/articles/2020-12-21/relief-bill-has-7-billion-to-expand-broadband-thwart-huawei
Dec 23, 2020	Battle to rein in Facebook, Twitter and TikTok to heat up in 2021	CNET	https://www.cnet.com/news/battle-to-rein-in-facebook-twitter-and-tiktok-to-heat-up-in-2021/
Dec 23, 2020	The stimulus bill includes a "historic" provision to expand broadband Internet access	Vox	https://www.vox.com/policy-and-politics/2020/12/23/22196354/stimulus-bill-broadband-internet
Dec 24, 2020	Time Running Out for FCC to Take Up Trump Attack on Social Media	Bloomberg	https://www.bloomberg.com/news/articles/2020-12-24/time-running-out-for-fcc-to-take-up-trump-attack-on-social-media
Dec 24, 2020	Big Tech in 2021: Washington is ready to lay down the law	CNET	https://www.cnet.com/news/big-tech-in-2021-washington-is-ready-to-lay-down-the-law/
Dec 30, 2020	What's Section 230? The social media law that's clogging up the stimulus talks	CNET	https://www.cnet.com/news/whats-section-230-the-social-media-law-thats-clogging-up-the-stimulus-talks/
Jan 5, 2021	Broadband for America NOW—A Conversation With Mignon Clyburn & Jonathan Sallet	Tech on the Rocks Podcast	https://glenecho.libsyn.com/live-podcast-special-broadband-for-america-now-a-conversation-with-mignon-clyburn-jonathan-sallet
Jan 7, 2021	How the Ga. Senate runoff results could impact privacy legislation, regulation	Axios	https://wwwaxios.com/2021/01/07/georgia-results-sweep-away-techs-regulatory-logjam
Jan 8, 2021	SOHN CALLS EXORBITANT FCC FINES ON EDUCATIONAL BROADBAND SERVICE LICENSEES "AN ABUSE OF POWER	Gigi Sohn's website	https://gigisohn.com/media/sohn-calls-exorbitant-fines-on-fcc-educational-broadband-service-licensees-an-abuse-of-power/
Jan 10, 2021	Capitol Hill violence stokes ire at Facebook, Google and Twitter	CNET	https://www.cnet.com/news/capitol-hill-violence-stokes-ire-at-facebook-google-and-twitter/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jan 18, 2021	Right-wing-tech populism enters the wilderness	National Journal	https://www.nationaljournal.com/s/712088/right-wing-tech-populism-enters-the-wilderness?unlock=G2BR5I676FGDN9EM
Jan 21, 2021	How Can President Obama Help Rural America? Fix the Internet <i>hiladelphia Inquirer</i>	https://www.inquirer.com/news/broadband-rural-internet-infrastructure-biden-harris-fcc-20210121.html	
Jan 28, 2021	Mapping, Impact & Adoption: A Research Agenda for Effective Rural Broadband Policy	Benton Institute	https://www.benton.org/blog/mapping-impact-adoption-research-agenda-effective-rural-broadband-policy
Jan 29, 2021	Oversight board wants your take on Facebook banning Trump	Politico	https://www.politico.com/newsletters/morning-tech/2021/01/29/oversight-board-wants-your-take-on-facebook-banning-trump-793051
Feb 3, 2021	The high price of broadband is keeping people offline during the pandemic	MIT Technology Review	https://www.technologyreview.com/2021/02/03/1017245/broadband-digital-divide-senior-citizens-pandemic/
Feb 3, 2021	Liberals aim to restore net neutrality rules and go much further	Washington Examiner	https://www.washingtonexaminer.com/news/liberals-aim-restore-net-neutrality-go-further
Feb 4, 2021	Covid-19 vaccine rollout puts a spotlight on unequal Internet access	CNN Money	https://edition.cnn.com/2021/02/04/tech/vaccine-internet-digital-divide/index.html
Feb 5, 2021	Toronto just approved a wild plan to build a public Internet network priced lower than Bell or Rogers—will it work?	Toronto Star	https://www.thestar.com/business/2021/02/05/toronto-just-approved-a-wild-plan-to-build-a-public-internet-network-priced-lower-than-bell-or-rogers-will-it-work.html
Feb 9, 2021	To undo Trump's net neutrality policy, the Biden admin drops a lawsuit	Marketplace	https://www.marketplace.org/2021/02/09/biden-administration-drops-trump-net-neutrality-lawsuit/
Feb 9, 2021	Biden DOJ drops lawsuit to block California net neutrality law	CNET	https://www.cnet.com/news/biden-doj-drops-lawsuit-to-block-california-net-neutrality-law/
Feb 9, 2021	Lacking a Lifeline: How a Federal effort to help low-income Americans pay their phone bills failed amid the pandemic	The Washington Post	https://www.washingtonpost.com/technology/2021/02/09/lifeline-broadband-internet-fcc-coronavirus/
Feb 19, 2021	Millions of Americans can't get broadband because of a faulty FCC map. There's a fix.	CNET	https://www.cnet.com/features/millions-of-americans-cant-get-broadband-because-of-a-faulty-fcc-map-theres-a-fix/
Feb 24, 2021	Democrats attack fake news, and Republicans cry foul	Politico	https://www.politico.com/news/2021/02/24/democrats-republicans-fake-news-471486
Feb 24, 2021	Democrats attack fake news, and Republicans cry foul	Politico Pro	https://subscriber.politicopro.com/article/2021/02/24/democrats-republicans-fake-news-471486
Feb 24, 2021	Anti-Big Tech antitrust push expected under Biden	Washington Examiner	https://www.washingtonexaminer.com/news/anti-big-tech-antitrust-push-expected-under-biden
Feb 27, 2021	Public Knowledge Celebrates 20 Years of Helping Congress Get a Clue on Digital Rights	Broadband Breakfast	https://broadbandbreakfast.com/2021/02/public-knowledge-celebrates-20-years-of-helping-congress-get-a-clue-on-digital-rights/
Mar 3, 2021	America's digital divide is blocking the most vulnerable people from vaccines	Yahoo! Finance	https://finance.yahoo.com/news/americas-digital-divide-is-blocking-the-most-vulnerable-people-from-vaccines-205936990.html
Mar 4, 2021	Electricity vs. Broadband: Does History Repeat Itself?	CounterPunch	https://www.counterpunch.org/2021/03/04/electricity-vs-broadband-does-history-repeat-itself/
Mar 10, 2021	We're Going to Need a Bigger Boat: The Passage to Universal Broadband	Tech on the Rocks Podcast	https://gleecho.libsyn.com/were-going-to-need-a-bigger-boat-the-passage-to-universal-broadband
Mar 11, 2021	SOHN PRAISES REINTRODUCTION OF "ESSENTIAL PIECE" OF BROADBAND LEGISLATION	Gigi Sohn's website	https://gigisonh.com/media/sohn-praises-reintroduction-of-essential-piece-of-broadband-legislation/
Mar 11, 2021	Democratic-led Congress gets serious about universal broadband funding	Ars Technica	https://arstechnica.com/tech-policy/2021/03/democratic-led-congress-gets-serious-about-universal-broadband-funding/
Mar 12, 2021	SOHN APPLAUDS REINTRODUCTION OF THE BROADBAND INFRASTRUCTURE AND FINANCE AND INNOVATION ACT	Gigi Sohn's website	https://gigisonh.com/media/sohn-applauds-reintroduction-of-the-broadband-infrastructure-and-finance-and-innovation-act/
Mar 13, 2021	Democrats Are Getting Serious About Universal Broadband	Wired	https://www.wired.com/story/democrats-getting-serious-about-broadband-for-the-masses/
Mar 15, 2021	Closing Digital Divide Starts With Accurate Maps, Says Gigi Sohn	Broadband Breakfast	https://broadbandbreakfast.com/2021/03/closing-digital-divide-starts-with-accurate-maps-says-gigi-sohn/

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Mar 23, 2021	Talking net neutrality and the digital divide with Gigi Sohn, former FCC counselor	Daily Dot	https://www.dailyydot.com/debug/tech-newsletter-03-23-2021-gigi-sohn/
Mar 27, 2021	Loud commercials are infuriating Americans, and streaming TV is making them even worse	Business Insider	https://www.businessinsider.com/why-commercials-are-so-loud-streaming-tv-calm-act-2021-3
Mar 31, 2021	SOHN LAUDS PRESIDENT BIDEN'S "BIG BET" ON BROADBAND ¹	Gigi Sohn's website	https://gigisohn.com/media/sohn-lauds-president-bidens-big-bet-on-broadband/
Apr 1, 2021	Municipal Broadband War Reignited in Biden's Infrastructure Push	Bloomberg Law	https://news.bloomberglaw.com/tech-and-telecom-law/municipal-broadband-war-reignited-in-bidens-infrastructure-push
Apr 1, 2021	Cable lobby slams Biden broadband plan, says everything is just fine already	Ars Technica	https://arstechnica.com/tech-policy/2021/04/cable-lobby-slams-biden-broadband-plan-says-everything-is-just-fine-already/
Apr 3, 2021	Broadband for all: Inside President Biden's \$100 billion plan to improve Internet access	USA Today	https://www.usatoday.com/story/tech/2021/04/03/biden-infrastructure-plan-100-billion-broadband-internet-proposal/7074754002/
Apr 12, 2021	GIGI SOHN STATEMENT AT COMMUNICATIONS WORKERS OF AMERICA PRESS BRIEFING ON "WHY STATES MUST REGULATE BROADBAND"	Gigi Sohn's website	https://gigisohn.com/media/gigi-sohn-statement-at-cwa-press-briefing-why-states-must-regulate-broadband/
Apr 21, 2021	AT&T/Verizon workers' union urges states to regulate ISPs as utilities	Ars Technica	https://arstechnica.com/tech-policy/2021/04/att-verizon-workers-union-urges-states-to-regulate-isps-as-utilities/
Apr 22, 2021	Rural Broadband Fix Gets Year-End Priority for Farm Panel Chair	Bloomberg Government	https://about.bgov.com/news/rural-broadband-fix-gets-year-end-priority-for-farm-panel-chair/
Apr 29, 2021	President Biden taps Kamala Harris to lead effort to close digital divide	CNET	https://www.cnet.com/home/internet/president-biden-taps-kamala-harris-to-lead-effort-to-close-digital-divide/
Apr 29, 2021	Digital divide takes center stage as Kamala Harris expands portfolio	Politico Pro	https://subscriber.politicopro.com/article/2021/04/digital-divide-takes-center-stage-as-kamala-harris-expands-portfolio-2052439
Apr 29, 2021	The Technology 202: Kamala Harris will lead the Biden administration's push to bring every American online	The Washington Post	https://www.washingtonpost.com/politics/2021/04/29/technology-202-kamala-harris-will-lead-biden-administration-push-bring-every-american-online/
Apr 30, 2021	Scoop: Telecom goes to war with New York over low-income broadband law	Axios	https://www.axios.com/att-verizon-new-york-broadband-law-41448d8370e-403a-8826-60159daf1877.html
May 1, 2021	Making connections: Plan to spend \$100 billion 'future-proofing' Internet ambitious, but short on specifics	Journal Courier	https://www.myjournalcourier.com/news/article/Making-connections-Plan-to-spend-100-billion-16143776.php
May 4, 2021	Merkley, Wyden, Colleagues Introduce Legislation to Extend Tribal Broadband Application Deadline U.S. Senator Ron Wyden of Oregon	United States Senate	https://www.wyden.senate.gov/news/press-releases/merkley-wyden-colleagues-introduce-legislation-to-extend-tribal-broadband-application-deadline
May 3, 2021	The Dangers of Facebook	VICE	https://video.vice.com/en_us/video/the-dangers-of-facebook/60537e7c38541a64743793b7
May 6, 2021	Cable Firms Fear Being Left in Dust in Biden Fast-Internet Quest	Bloomberg	https://www.bloomberg.com/news/articles/2021-05-06/cable-firms-fear-being-left-in-dust-in-biden-fast-internet-quest
May 11, 2021	Broadband, computer subsidies on the way for those who qualify	NPR Market Place	https://www.marketplace.org/2021/05/11/broadband-computer-subsidies-on-the-way-for-those-who-qualify/
May 11, 2021	In Biden's broadband plan, cable is in for the fight of its life	Protocol	https://www.protocol.com/policy/biden-broadband-plan
May 12, 2021	The Technology 202: The Federal government is rolling out record amounts of broadband funding. It could be just the beginning	The Washington Post	https://www.washingtonpost.com/politics/2021/05/12/technology-202-federal-government-is-rolling-out-record-amounts-broadband-funding-it-could-be-just-beginning/
May 19, 2021	Communications Policy Under the Biden Administration	National Law Review	https://www.natlawreview.com/article/communications-policy-under-biden-administration
May 25, 2021	Broadband Costs Too Much For Some People. Fixing That Won't Be Easy	CNET	https://www.cnet.com/home/internet/features/broadband-costs-too-much-for-some-people-fixing-that-wont-be-easy/
Jun 10, 2021	Broadband funding, everywhere: A rundown of major Federal efforts	RCR Wireless News	https://www.rcrwireless.com/20210610/policy/broadband-funding-everywhere-a-rundown-of-major-federal-efforts

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Jun 15, 2021	GIGI SOHN STATEMENT ON THE INTRODUCTION OF THE BRIDGE ACT	Gigi Sohn website	https://gigisohn.com/uncategorized/gigi-sohn-statement-on-the-introduction-of-the-bridge-act/
Jun 21, 2021	Would Reforming Section 230 Break the Internet? (Podcast)	Bloomberg Law	https://news.bloomberglaw.com/us-law-week/would-reforming-section-230-break-the-internet-podcast
Jun 22, 2021	Tech giants, fearful of proposals to curb them, blitz lawmakers with lobbying	New York Times	https://www.nytimes.com/2021/06/22/technology/amazon-apple-google-facebook-antitrust-bills.html
Jun 23, 2021	Tim Cook Politely Asked Nancy Pelosi Not to Break Up His Tech Monopoly	Vanity Fair	https://www.vanityfair.com/news/2021/06/tim-cook-politely-asked-nancy-pelosi-not-to-break-up-his-tech-monopoly-apple
Jun 24, 2021	A worried Tim Cook reportedly called Nancy Pelosi about antitrust bills	SFGate	https://www.sfgate.com/politics/article/Tim-Cook-Nancy-Pelosi-Apple-antitrust-big-tech-app-16271404.php
Jul 9, 2021	Biden Revives Net Neutrality, Targets Big Broadband Providers	Wall Street Journal	https://www.wsj.com/articles/biden-revives-net-neutrality-targets-big-broadband-providers-11625858529
Aug 5, 2021	Senate infrastructure bill sets stage for massive effort to make broadband more available and affordable	The Washington Post	https://www.washingtonpost.com/technology/2021/08/05/senate-infrastructure-bill-sets-stage-massive-effort-make-broadband-more-available-affordable/?tid=prn_technology_pop
Aug 10, 2021	DOJ Warns Millions Of Boost Mobile Customers Could Lose Service	VICE	https://www.vice.com/en/article/g5g3my/doj-warns-millions-of-boost-mobile-customers-could-lose-service
Aug 11, 2021	THE WALL STREET JOURNAL: U.S. GOVERNMENT WANTS A GREATER ROLE IN HOW AMERICANS ACCESS INTERNET	Personal Site	https://gigisohn.com/news/the-wall-street-journal-u-s-government-wants-a-greater-role-in-how-americans-access-internet
Aug 11, 2021	US government wants a greater role in how Americans access Internet	Fox Business	https://www.foxbusiness.com/politics/us-government-wants-a-greater-role-in-how-americans-access-internet
Oct 3, 2021	What's Missing from the Infrastructure Bill's \$65 Billion Broadband Plan?	Governing	https://www.governing.com/now/whats-missing-from-the-infrastructure-bills-65-billion-broadband-plan
Oct 26, 2021	Senate Commerce Committee Nominee Questionnaire, 117th Congress	Questionnaire	https://www.commerce.senate.gov/services/files/1A58E785-02ED-408E-B204-17E5D32311CB
Nov 11, 2021	Google's EU antitrust defeat could mean trouble at home	Politico	https://www.politico.com/newsletters/morning-tech/2021/11/11/googles-eu-antitrust-defeat-could-mean-trouble-at-home-798818
Dec 1, 2021	Statement of Gigi B. Sohn, Nominee to Serve as Commissioner of the Federal Communications Commission, Before the U.S. Senate Committee on Commerce, Science and Transportation	Full Testimony	https://www.commerce.senate.gov/services/files/8F7FEAB0-535F-4F2D-AA9B-8273E146A4E6
Dec 1, 2021	FCC nominee Gigi Sohn tries to reassure Senate GOP over fears of bias	Politico Pro	https://subscriber.politicopro.com/article/2021/12/fcc-nominee-gigi-sohn-tries-to-reassure-senate-gop-over-fears-of-bias-3992660
Dec 1, 2021	Confirmation Hearing for FCC and Commerce Department Nominees	Politico Pro	https://subscriber.politicopro.com/transcript/71e52163-a92e-4b78-82fe-176aafeabb92
Dec 1, 2021	Republicans ready to put holds on FCC nominee Gigi Sohn	Politico Pro	https://subscriber.politicopro.com/article/2021/12/republicans-ready-to-put-holds-on-fcc-nominee-gigi-sohn-3992683
Dec 6, 2021	Kamala Harris is Bluetooth-phobic	Politico Pro	https://subscriber.politicopro.com/newsletter/2021/12/06/kamala-harris-is-bluetooth-phobic-495343
Dec 6, 2021	Jordan Wolman	Politico Pro	https://subscriber.politicopro.com/newsletter/2021/12/2021s-last-puzzle-pieces-797994
Dec 6, 2021	Never tweet: Social media posts haunt Biden's FCC and FTC hopefuls	Politico	https://www.politico.com/news/2021/12/06/biden-fcc-ftc-nominees-republicans-tweets-523783
Dec 6, 2021	Republicans play the tweet card against Biden's tech and telecom nominees	Politico Pro	https://subscriber.politicopro.com/article/2021/12/republicans-play-the-tweet-card-against-bidens-tech-and-telecom-nominees-2098816
Dec 9, 2021	Wicker: Ethics questions delaying Senate Commerce vote on Sohn's FCC nomination	Politico Pro	https://subscriber.politicopro.com/article/2021/12/wicker-ethics-questions-delaying-senate-commerce-vote-on-sohns-fcc- nomination-3992884
Dec 10, 2021	Sohn confirms asking White House to chair FCC	Politico Pro	https://subscriber.politicopro.com/article/2021/12/sohn-confirms-asking-white-house-to-chair-fcc-3992903
Feb 9, 2022	Confirmation Hearing For FCC Nominee Gigi Sohn	Politico	https://subscriber.politicopro.com/transcript/7307c67f9da45fe9b1d-7cb630ae8202

Gigi Sohn Appearances (Media and Public Statements—2015–2020)—Continued

Date	Headline	Source	Link
Feb 9, 2022	FCC nominee Sohn: White House, Senate Commerce staff split on recusal pledge	Politico Pro	https://subscriber.politicopro.com/article/2022/02/fcc-nominee-sohn-white-house-senate-commerce-staff-split-on-recusal-pledge-00007248
Jan 27, 2022	FCC nominee Sohn expands recusal pledges involving certain media issues	Politico Pro	https://subscriber.politicopro.com/article/2022/01/fcc-nominee-sohn-expands-recusal-pledges-involving-certain-media-fights-00002991
Feb 23, 2022	U.S., EU link hands against Russian disinfo	Politico Pro	https://subscriber.politicopro.com/newsletter/2022/02/23/u-s-eu-link-hands-against-russian-disinfo-00010897

ATTACHMENT E

GIGI SOHN TESTIMONY BEFORE THE UNITED STATES CONGRESS

US Senate Committee on Commerce, Science & Transportation: *Nominations Hearing* (February 9, 2022)

US Senate Committee on Commerce, Science & Transportation: *Nominations Hearing* (December 1, 2021)

House Energy and Commerce Committee, Communications and Technology Subcommittee: *“Empowering and Connecting Communities through Digital Equity and Internet Adoption”* (January 29, 2020)

House Judiciary Committee, Antitrust Subcommittee: *The State of Competition in the Wireless Market: Examining the Impact of the Proposed Merger of T-Mobile and Sprint on Consumers, Workers, and the Internet*: (March 12, 2019)

US Senate Committee on Indian Affairs: *Oversight Hearing on the GAO Report on “Telecommunications: Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands”* (April 27, 2016)

US Senate Committee on Commerce, Science and Transportation, Subcommittee on Communications, Technology and the Internet. *State of Wireline Competition* (July 25, 2013)

House Energy and Commerce Committee, Subcommittee on Communications & Technology: *The Future of Video* (June 27, 2012)

US Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights: *The Universal Music Group/EMI Merger and the Future of Online Music* (June 21, 2012)

US Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights: *The AT&T/T-Mobile Merger: Is Humpty Dumpty Being Put Back Together Again?* (May 11, 2011)

House Judiciary Committee, Subcommittee on Intellectual Property, Competition and the Internet: *Ensuring Competition on the Internet: Net Neutrality an Antitrust* (February 15, 2011)

US Senate Committee on Commerce, Science and Transportation: *Broadband Providers and Consumer Privacy* (September 25, 2008)

US Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights: *The XM-Sirius Merger: Monopoly or Competition from New Technologies?* (March 20, 2007)

House Energy and Commerce Committee, Subcommittee on Telecommunications and the Internet: *The Audio and Video Flags: Can Content Protection and Technological Innovation Coexist?* (June 27, 2006)

House Judiciary Committee, Subcommittee on the Courts, Intellectual Property and the Internet: *Content Protection in the Digital Age: The Broadcast Flag, High Definition Radio, and the Analog Hole* (November 3, 2005)

House Judiciary Committee, Subcommittee on the Courts, Intellectual Property and the Internet: Piracy of Intellectual Property on P2P Networks (September 26, 2002) (attached)

I am fairly confident that I testified before U.S. Congressional committees between September 26, 2002 and November 2005, but I can't find any testimony. I would guess that I testified at least twice during that time period, either before one of the Judiciary or Commerce Committees.

STATEMENT OF GIGI B. SOHN, PRESIDENT, PUBLIC KNOWLEDGE

"PIRACY OF INTELLECTUAL PROPERTY ON PEER-TO-PEER NETWORKS" HOUSE
JUDICIARY COMMITTEE

SUBCOMMITTEE ON COURTS, THE INTERNET AND INTELLECTUAL PROPERTY

WASHINGTON, DC

SEPTEMBER 26, 2002

Chairman Coble, Congressman Berman and other members of the Subcommittee, my name is Gigi B. Sohn. I am the President of Public Knowledge, a new nonprofit public interest organization that seeks to ensure that citizens have access to a robust public domain, an open Internet and flexible digital technology.

I want to thank the Subcommittee for holding this important hearing on the great promise of peer-to-peer (P2P) networks and some of the perils associated with their use. I am honored that you have chosen my organization to represent the citizen/consumer perspective at this hearing.¹

My hope is that this hearing will further advance the dialogue that Public Knowledge and other public interest organizations have already begun with the various interested industries and with policymakers. That dialogue is intended to find solutions that provide the content industry with a "reasonably secure" digital environment for its content while ensuring that citizens retain their rights under copyright law and continue to have access to an open Internet and the kind of flexible technology that they have come to expect and enjoy.

P2P Technology is Changing the Face of Computing—For the Better

In just two years, P2P has become a computing phenomenon. Millions of Internet users are communicating with each other through P2P file sharing software programs that allow a group of computer users to share text, audio and video files stored on each other's computers. While the P2P applications we know today are just a few years old, the technology underlying P2P is at the heart of the Internet. The Internet was designed to be a distributed system of linked computers in which users could freely share content and data stored on each other's computers.

Few disagree that P2P networks are already changing the way businesses, educators, artists and ordinary citizens use their computers. In businesses, for example, they offer an alternative to centralized server-based sharing of documents and projects.² The vast majority of these changes are positive. By linking together individual computers and distributing their power, P2P technology is superior to the centralized server approach because it:

- is more robust and resilient
- is more cost effective
- is faster and more reliable
- harnesses bandwidth and storage resources that would otherwise go unused
- enables real-time collaborative work

Already, both public and private P2P networks are helping small and large businesses (including content companies), universities, artists and others work collaboratively and more efficiently. Here are some examples:

- *The University of North Carolina at Chapel Hill.* Robert Kirkpatrick, Distinguished Associate Professor of English and Director of the London Summer Honors Program at the University of North Carolina at Chapel Hill, used Groove Network's P2P tools to manage a class in the composition of poetry. Among other things, Kirkpatrick used P2P technology to encourage collaborative editing and comment on students' work, adjust the syllabus, archive course materials, and create a list of links to resources of poetic forms and vast archives of complete works of poems and critical writing. The class also uses the Groove tools for a class forum and an announcement board to share information on musical, dramatic and other events on campus. Kirkpatrick said that P2P technology "makes it possible to extend that most expensive form of edu-

¹ Public Knowledge is working in partnership with the Center for Democracy and Technology and Consumers Union on P2P and related digital copyright issues.

² A recent Gartner Research Note (Technology T-16-2550, September 16, 2002) predicts that "[b]y 2005, 10 percent of business interactions will occur via P2P-enabled technologies (0.7 probability)."

cation—one-on-one tutorial—into a cohesive class experience. . .It comes very close to being, for me, the ideal academic tool.”³

- *CenterSpan*. CenterSpan is a distributed content delivery network licensed to distribute copyrighted digital content from major media companies. Earlier this year, CenterSpan announced an agreement with Sony Music Entertainment whereby CenterSpan’s secure P2P network provides music from Sony Music artists to a wide variety of online service providers seeking to offer their subscribers streaming and downloadable music.⁴
- *J!VE Media*. J!VE Media is the creator of a suite of digital video packaging, digital rights management and media delivery services which enable content providers to distribute protected digital video content via publicly accessible P2P networks, including the Gnutella Network (which includes users of LimeWire and Morpheus) and the Fastrack Network (which includes users of KaZaA and Grokster). J!VE uses P2P distribution technology because it allows content owners to rely almost entirely on users to provide the most costly computing resources involved in digital distribution: data storage and bandwidth. J!VE distributes only authorized content, and its customers include: 1) the Priority Records division of the EMI Recorded Music Group; 2) Koch International, the world’s third largest independent music label; and 3) The Comedy Network, Canada’s 24 hour comedy cable channel.⁵
- *Project Gutenberg*. Project Gutenberg seeks to convert to ebook form, and widely distribute over the Internet, over 4500 works from the King James Bible to Shakespeare to the CIA World Fact Book. These works are either in the public domain or authorized by copyright owners for distribution. One of the chief hurdles facing Project Gutenberg and public domain projects like it has been the expense of hosting and distributing the resulting files. Today, these expenses are being reduced, and valuable public domain works are reaching more people, because these texts are being distributed over P2P networks.⁶
- *Furthur Network*. The Furthur Network is a non-commercial, open source, P2P network of legal live music. Music lovers download and share music from each other. Musicians that allow the non-commercial taping and trading of their live performances are allowed on this publicly accessible P2P network. This would include bands like the Grateful Dead, the Allman Brothers Band and the Dave Matthews Band. TDK, the consumer electronics and recordable media company has recently recognized the importance of this segment of the music industry by sponsoring the third annual Jammy Awards, which honors musicians who focus their art on live music. In the words of Bruce Youmans, TDK’s Vice President of Marketing, “There are literally hundreds of sources, including directly from some of the artists performing at the Jammys, for legally acquiring today’s best music without infringing on artists’ copyrights.”⁷

All indications are that P2P technology will stimulate our economy if it is allowed to flourish. As with any successful new technology, innovators will seek to capitalize by developing new applications for P2P.⁸ Moreover, since every computer on a P2P network becomes, in effect, a file server for every other computer, it is likely that businesses and individuals will demand faster and more powerful PC’s. Equally as important, many experts predict that increased use of P2P networks will drive up the demand for broadband.⁹ It is not difficult to see why—using the increased band-

³ www.groove.net/solutions/testimonials/education/unc.html

⁴ Statement of Frank G. Hausmann, Chairman and CEO Centerspan Communications Corporation before the House Judiciary Committee Subcommittee on Courts, the Internet and Intellectual Property, June 5, 2002.

⁵ Declaration of Sean Mayers in Support of MusicCity.Com Inc.’s and MusicCity Networks, Inc.’s Motion for Partial Summary Judgment in *MGM Studios v. Grokster*, www.eff.org/IP/P2P/MGM_v_Grokster/20020122_mayers_decl.html

⁶ Declaration of Gregory Newby in Support of MusicCity.Com Inc.’s and MusicCity Networks, Inc.’s Motion for Partial Summary Judgment in *MGM Studios v. Grokster*, www.eff.org/IP/P2P/MGM_v_Grokster/20020122_newby_decl.pdf

⁷ www.furthurnet.com

⁸ One exciting P2P application that is in its nascent stages is “P2P signing” for the deaf and hard of hearing. Through this application, an interpreter in one location can use high-speed communications and low-cost video cameras to provide interpreting services to consumers at other locations across the country. Frank G. Bowe, *Broadband and Americans with Disabilities* at 2 (2002), www.newmillenniumresearch.org/broadband.html.

⁹ Amy Kover, *Napster: The Hot Idea of the Year*, Fortune Magazine, June 26, 2000. See also, *Understanding Broadband Demand, A Review of Critical Issues*, Office of Technology Policy, U.S. Department of Commerce at 16 (September 23, 2002), www.ta.doc.gov/reports/TechPolicy/Broadband_020921.pdf

width capabilities of a P2P network, a homeowner using only a DSL line could send files at a speed and capacity that is eight times faster than a T-1 line!

Like Other Technologies, P2P Can Be Abused

Despite the recognition of Congressman Berman and other legislators of the enormous promise of P2P networks,¹⁰ the focus of this hearing is on their *abuses*—that is, the illegal sharing of copyrighted material over these networks. Let me be clear—Public Knowledge does not condone the illegal sharing of files on any network—be it P2P or otherwise. We believe in the constitutional and historical purpose of copyright protection, that is, to encourage the creation of new artistic works for the ultimate benefit of the public. That purpose is not well served by individuals who engage in large scale illegal file trading. As discussed below, we think that the content industry has several avenues available to it to curb these abuses that will also preserve the technology and the rights and expectations of consumers and computer users.

That being said, my fear is that the emphasis on the abuses of P2P networks may well give rise to actions that could ultimately destroy the promise of this technology. As discussed below, proposed laws like H.R. 5211 could lead to actions by copyright owners that could literally bring these and other networks to a sudden and unfortunate halt. Even where the copyright owner's motives are the most benign, actions authorized by this bill could seriously tax these valuable networks by making them less efficient, more unstable, and subject to greater private control. That is not good for consumers, the tech industry or the content industry, which believes, as I do, that it will figure out how to harness P2P technology and profit. Thus, it is not just the illegal activity that might be slowed by the kinds of self help techniques authorized by this bill, but also every legitimate current and yet-to-be-developed business dependent upon the promise of P2P technology.

P2P networks, like other technologies (e.g., cars, telephones) can be used for good, or they can be abused. But we don't outlaw these technologies or limit their legitimate use because of the possibility (and yes, even the probability) that someone will use them to do harm. Public Knowledge supports targeted mechanisms to limit abuses of these networks. But we cannot support laws or technological measures that harm legitimate uses of the technology in the effort to curtail illegitimate ones.

The Content Industry Has Tools at Its Disposal Which, If Used Together, Can Limit the Impact of Illegal File Trading Over P2P Networks.

Over the past several months, my staff and I have had a number of productive conversations with various sectors of the content industry. While we have not agreed on everything, I have appreciated their willingness to be candid and engage in a continuing dialogue. One thing the various sectors of the industry have been willing to admit is that infringement cannot be stopped completely. This is true with regards to physical infringement as well as virtual infringement.

Thus, the critical question becomes: how can the effect of illegal file trading over the Internet be limited without eroding the legitimate consumer/computer user rights and expectations? I propose a combination of three tools:

Enforcement of Existing Laws

Both the Copyright Act and the Digital Millennium Copyright Act provide for remedies for certain unlawful uses of copyrighted material.¹¹ There is little evidence and indeed, the content industries do not claim, that when the law is enforced it is ineffective. In fact, when the content industries choose to enforce their rights under these laws, like in the Napster, Audiogalaxy and Madster (*aka* "Aimster") cases, they have succeeded.

Despite its claims that billions of songs have been illegally downloaded, we are not aware of a single case in which the recording industry has taken legal action against an individual downloader. The problem is that the recording industry apparently does not want to enforce the rights it claims when it comes to illegal P2P file trading because it looks bad to sue its own customers. Therefore, the industry has decided instead to shift that burden onto other corporations, and in particular, ISPs. As many of you know, the RIAA is seeking to force Verizon to hand over the names of its customers based solely on the RIAA's allegations that those customers are en-

¹⁰ Speech by the Honorable Howard L. Berman to the Computer and Communications Industry Association Regarding Solutions to Peer to Peer Piracy (June 25, 2002), www.house.gov/berman/p2p062502.html ("P2P networks represent as much of an opportunity as a threat to copyright creators. P2P represents an efficient method of information transfer, has the potential to greatly reduce the costs associated with server-based distribution systems, and can support a variety of legitimate business models.")

¹¹ 17 U.S.C. §§ 501–507; 17 U.S.C. §§ 1201–1204; 18 U.S.C. §§ 2318–2319A.

gaging in infringing activity. Verizon, backed by civil liberties and other public interest organizations such as my own, has argued, among other things, that forcing ISPs simply to give copyright owners the names of their customers without a judicial determination that they may be engaged in any illegal conduct would violate the constitutionally mandated privacy and anonymity rights of their customers, and put ISPs in the untenable position of having to respond to the numerous identification requests that would inevitably result.

Were Verizon and other ISPs to comply with such requests, the RIAA would be empowered to collect sufficient information with which to conduct investigations of potential defendants and engage in surveillance over a period of days or even years, choosing to sue the defendants presenting the worst facts and having profiles least likely to garner public or judicial sympathy. As is often said, bad facts make bad law. The RIAA plan appears to have no other purpose than to find the worst facts before seeking an interpretation of its legal rights.

Verizon's refusal to succumb to the RIAA's request does not leave the industry without a remedy. It can bring a "John Doe" lawsuit against anonymous infringers and serve Verizon with a third-party subpoena pursuant to Fed. R. Civ. P. 45. Once the industry has satisfied a judge that its allegations of infringement have evidentiary support, Verizon (and other ISPs) will be required to make available those names. With "robot" technology that allows the industry to pinpoint the most egregious uploaders with some (but by all means not perfect, *see* discussion below) accuracy, the industry's complaint that it would have to bring numerous expensive lawsuits rings hollow. Unless the industry wants to sue every person with a handful of infringing files on its hard drive, it has the economic and technological means to locate the kind of large scale alleged infringer that it would want to bring to court.

An industry-initiated law suit against a large scale infringer could also have the benefit of serving as a deterrent to other bad actors. As we have seen in other contexts, specifically targeted lawsuits and other legal action can have a deterrent effect, and also educate the public as to what is legal. But if the industry refuses to bring targeted cases, we will only be left with unfounded complaints that the copyright law provides a "right without a remedy." The remedies exist, but copyright owners must take up the challenge of invoking them.

Non-Invasive Self-Help

Public Knowledge does not oppose the use of reasonable non-invasive self-help techniques by the content industry. By non-invasive, we mean techniques that do not entail a third party attacking a file located on a computer hard drive (or denial-of-service attacks on individual users or on providers). Examples of non-invasive self-help include spoofing, flooding, decoy, spoiler files and redirection. Many of these techniques involve the intentional distribution of phony or corrupted files that an individual seeking to make an unlawful reproduction will then download. Others will send downloaders to legitimate sites. What distinguishes these techniques is that they are activated by an individual's affirmative effort to obtain an unlicensed copy of a file.

On the other hand, Public Knowledge cannot support self-help techniques that permit the copyright owner to block access to an individual's computer hard drive for the purpose of making an allegedly illegal file unusable or incapable of being downloaded.

In the most popular of these techniques, commonly known as Interdiction, a computer program repeatedly requests the same file from a particular P2P network user. As a result, no one else can get to that file, or to any other file on that user's computer even if the other files to which access is sought are perfectly legal and downloading them is perfectly lawful.

There are several problems with self-help techniques of this kind. The first, of course, is that the program, or robot, could be mistaken in its determination that a file is one that warrants protection. While we have received assurances from the RIAA that the "bots" that its member companies use are extraordinarily accurate, evidence submitted in its pending litigation with Verizon demonstrates otherwise. For example, UUNet, an ISP, was sent a notice by Warner Brothers, owner of the copyright to the motion picture "Harry Potter and the Sorcerer's Stone." The notice asked UUNet to disable access to a user, identifying as the single infringing file a 1K file named "harry potter book report.rtf." The size and type of the file make it

clear that the file was nothing more than a child's school book report on a Harry Potter book. The record includes other examples of similar inaccuracies.¹²

Moreover, it is important to remember that the members of the RIAA will not be the only copyright owners capable of using these techniques, particularly if H.R. 5211 becomes law. The fact that Interdiction not only makes unavailable the allegedly infringing file, but also makes the rest of the user's files unavailable only exacerbates this problem.

A second concern is that Interdiction and similar self-help techniques punish individuals for "making available" copyrighted content, regardless of whether that content was legally obtained or not. Such punishment would extend copyright protection beyond what the law currently allows. Unlike in the European Union, U.S. copyright law does not give a copyright owner a separate right to "make available" his work. Efforts to include such a right here have been heretofore rejected.

Finally, we are concerned with the worst case scenario—that repeated requests or similar actions could prevent a user from accessing the Internet for any other purpose, resulting in a so-called "denial of service." Regardless of whether an individual has an infringing file, denial of service caused by self-help will burden ISPs and other network users, both indirectly and directly. This is particularly true where such attacks can be done secretly, such that a user's first call will be to its own ISP to complain about a malfunction. Even on a network where a loss of service for one may not directly affect other users, every denial of service claim requires ISP time and resources to figure out its cause, causing it to spend less time on other, more serious service problems, which might be caused by cyberterrorism, other security breaches or legitimate technological breakdowns. This has an indirect effect on all the other customers on an ISPs network and also burdens the entire network. Moreover, with some ISP networks (particularly the shared architecture of cable modem service), the service quality of innocent ISP customers could be directly affected if invasive self-help leads to a denial of service for another customer—in other words, innocent ISP customers are harmed by the acts of one suspected infringer.

Legitimizing and harboring invasive self-help has startling implications. Again, whether the large content companies use techniques that are more accurate and often unrecognized by the computer user is nice, but is largely beside the point. If expressly permitted or protected, self-help of various shapes and sizes will be available to *all* copyright owners, some of whom may believe that it is perfectly within their rights to launch denial of service attacks. Some of these attacks may affect actual infringers, while some almost certainly will affect innocent parties, who will have no idea why they (or others) cannot access their files or why their Internet service is not working. These attacks will likely provoke retaliatory attacks by some users, and the acquisition of defensive software by others. Soon, the Internet will look like the Wild West, with self help bots and bot blockers replacing guns as the weapon of choice.

The collective impact of all these self help efforts, particularly if they are sanctioned by law, might be to reduce or eliminate the effectiveness of the Internet as a communications medium in a number of ways, from consuming bandwidth to forcing ISPs into imposing crippling terms-of-service agreements. The final victim of this Internet free-for-all, of course, would be rollout of broadband, for which P2P is the "killer app."

Promoting Competition to Build a New Business Model

Last June, at the request of *USA Today*, I spent several hours discussing digital media issues with a number of top executives from the content and consumer electronics industries. What struck me was that the New York representatives of the content industries all agreed on one thing: that they had to create new business models that take advantage of the low cost, ubiquity and speed of the Internet. In answering the question of whether the recording industry had responded to the Internet needs of its customers, John Rose, Executive Vice President of the EMI Group stated:

There's no question that this industry, like every other industry that went through this, didn't deal with it in as forward-thinking a manner as it could have. The real question is: here's where we are, what do we do about it? There's no way you're going to constrain the Internet, . . . The question is, can you

¹² Motion for Leave to File and Brief Amicus Curiae of United States Internet Service Provider Association in Support of Respondent filed in *Recording Industry Association of America v. Verizon Internet Services*, Case No. 1:02MS003323 at 6-12.

come up with economic models to empower guys like Alan [McGlade of MusicNet, an industry-backed online music service]?¹³

These content industry executives believe, as I do, that if they can provide easy access to a wide range of high quality content at a fair price, most consumers looking for content over the Internet will choose their services.¹⁴ In other words, they believe that they can, in fact, “compete with free.”¹⁵ Rob Reid of Listen.com, an online subscription music service that licenses music from the recording industry, said as much in a recent Department of Commerce Forum:

The way I compete [with free] is I have to create a service that's better than free, which is hard to do. I mean, that's hard to do. I mean, that's a tough proposition, but the good news is people do opt for things that are better than free all the time. If they didn't, you know, we'd be eating at soup kitchens every night, and not going to restaurants. And just looking around this table, I see a bottle of Poland Springs . . . that tells us that designer water is a multi-billion dollar industry, and that comes out of the faucet for free. So better than free does exist. . . .¹⁶

Despite the fact that industry efforts to bring content online have been going on for years, a successful business model has not emerged. One of the reasons this is so is that creating such a model is not a simple task—it takes time, resources and sometimes plain dumb luck.¹⁷ But I believe that there are two other reasons a business solution has been slow in coming: 1) the same industry minds have been attacking the same problem for all that time, and 2) the industry has refused to permit others to try and figure out how best to deliver content over the Internet.

If the content industries are sincere in their desire to create new business models (and I believe that they are), then they should give others the opportunity to help them to do so. Not for free—for example, the recording companies could license their music to various online retailers and ask the licensee for the same statutory rate that the publisher gets (\$0.08) for each song the licensee sold online. Retailers who choose to offer them to the public must all pay the same “wholesale” price but can then compete vigorously with each other to find the business proposition most appealing to consumers. This is a win-win situation. The copyright owner gets paid, and a competition ensues to build an online music service that provides a high quality, large catalogue at a reasonable price. In fact, several successful business models could emerge that are entirely different than anything being contemplated today and appeal to different types of consumers, just as retail stores do for pre-packaged goods. There will be failures, no doubt—but until innovators and entrepreneurs are given a *chance* to fail, the chances that success will be achieved are greatly diminished, and the public benefit from broad and competitive dissemination will surely be lost.¹⁸

¹³ “Digital Technology, Reshaping industries, lifestyles,” *USA Today*, June 25, 2002 at 4E.

¹⁴ The Office of Technology Policy at the U.S. Department of Commerce apparently agrees, *Understanding Broadband Demand, A Review of Critical Issues*, Office of Technology Policy, U.S. Department of Commerce at 17 (September 23, 2002), www.ta.doc.gov/reports/TechPolicy/Broadband_020921.pdf (“There is considerable belief that creative, legal, for-profit sites can out-compete “free” alternatives. Industry will need to develop technologies that can protect digital content, ensure that legal services have the resources . . . to out-compete illegal exchanges, educate consumers about the need to respect intellectual property on the Internet, cooperate across sectors and deliver content in ways and on platforms that consumers want. . . .”)

¹⁵ Bon Jovi and its record company, Vivendi Universal SA’s Universal Music Group, is competing with free by giving fans who buy their CDs “Bon Jovi Exclusives,” including preference in buying concert tickets, the possibility of climbing on stage and other band-related perks. Jennifer Ordonez and Charles Goldsmith “Bon Jovi Uses ‘Bounce’ To Battle Music Pirates,” *Wall Street Journal*, September 16, 2002, online.wsj.com/article/print0,SB103211681937801835,00.html.

¹⁶ Statement of Rob Reid, Founder and Chairman of Listen.com, *Understanding Broadband Demand: Digital Rights Management Workshop*, July 17, 2002, U.S. Department of Commerce, Technology Administration www.ta.doc.gov/reports/TechPolicy/DRM-020717.htm

¹⁷ A recent *New York Times* article details the challenges faced by online music services (including those backed by the recording industry) in getting permission to sell certain songs over the Internet. Amy Harmon, “Copyright Hurdles Confront Selling of Music on the Internet,” *NY Times*, September 23, 2002 at C1.

¹⁸ This week’s announcement by the Warner Music Group that it would begin selling digital singles starting at 99cents through retailers like Bestbuy.com and MTV.com is a good start. Amy Harmon, “Warner to Sell Digital Signals Online,” *NY Times*, September 24, 2002 at C9.

H.R. 5211 is a Well-Intentioned but Flawed Bill

Public Knowledge appreciates the good intentions of Reps. Berman, Coble, Smith and Wexler in sponsoring H.R. 5211. We believe that they are sincere in their desire to encourage P2P technology and to stem the flow of illegal file sharing.

Unfortunately, these good intentions cannot save this flawed bill. Part of the problem is that because P2P technology underlies the entire Internet, it is difficult to draft legislation that addresses specific P2P networks such as Morpheus and KaZaA without also including the entire Internet and World Wide Web in its scope. Also, as discussed above, it is difficult to imagine certain “self-help” techniques that could interfere with specific P2P networks that would not also put the efficient functioning of the larger Internet at risk, impose enormous new tech support burdens on ISPs and impair customer satisfaction with broadband. Finally, as discussed above, while we may accept that some of the techniques now in use by the content industries are somewhat benign, this bill allows for self-help by *all* copyright owners—some of whom may not have the same concerns about upsetting their customers as do large content companies.

Among the provisions in this bill that are the most troublesome from a consumer perspective are:

- *The bill gives copyright owners extraordinary powers to engage in self-help.* H.R. 5211 grants copyright owners and their agents the right to break *any law*, state or federal, civil or criminal, in furtherance of “disabling, interfering with, blocking, diverting or otherwise impairing” the availability of his or her copyrighted works on a public P2P network. This extraordinary power is limited by five vague conditions: 1) the copyright owner may not “alter, delete, or otherwise impair the integrity of any computer file or data residing on the computer of a file trader” (Subsection (a)); 2) the owner must not impair the availability of files on a targeted computer other than the works the copyright owner owners except as “reasonably necessary” (Subsection (b)(1)(a)); 3) the copyright owner may not cause “economic loss” to any person other than the targeted file trader (Subsection (b)(1)(B)); 4) the copyright owner may not cause “economic loss of more than \$50” to the targeted file trader (Subsection (b)(1)(C)); and 5) the copyright owner must notify the Attorney General seven days before engaging in self-help (Subsection (c)).

These conditions leave the door wide open for abuse by the copyright owner and harm to computer users. For example, the limitations on altering and deleting files in subsection (a) conceivably would not prevent a copyright owner from cutting a user’s DSL line or even his phone line, or knocking his satellite dish off his roof. The “as reasonably necessary” language of subsection (b)(1)(a) is undefined and invites a raft of excuses for why an individual’s non-infringing files were impaired by self-help. The subsections prohibiting “economic loss” do not cover any non-economic loss that a target file trader or innocent victim may incur. And Subsection (c)’s notice provision is toothless: there is nothing in the bill that gives the Attorney General guidelines by which to judge self-help techniques or the power to reject them. All that is required by that subsection is notice.

- *The bill shifts the burden of using self-help mechanisms onto the consumer.* Currently, the content industries are very careful about the type of self-help techniques they use. This is not only for public relations reasons—the misguided use of these techniques that harms an innocent party could also result in serious legal liability for a copyright owner. By providing a safe harbor for a whole range of non-invasive and invasive self-help techniques, H.R. 5211 removes the incentives and sanctions that currently impel content owners and others to be careful in their self-help. While the damage limitation for bringing a legal action for misguided self-help is only \$250, copyright owners know that most victims will never sue because it is not worthwhile to do so; the damage rarely will be large enough to justify the time and cost of litigation.¹⁹

Equally as troubling is the fact that the bill creates no obligation for the copyright owner to notify a victim that her Internet access has been impaired. If they are subject to misguided self help, the vast majority of computer users will have no idea why their computer has broken down or why they can no longer access certain files. Without a notice requirement, even a tech-savvy victim who figures out what has occurred and decides to bring a lawsuit will not likely know whom to sue. Only if the victim can figure out exactly who impaired her

¹⁹This is exacerbated by the fact that under the bill, a victim must first ask the Attorney General to decide whether her complaint is a valid one.

system (among millions of copyright owners) can she then ask for the reasons for that action. Subsection (c)(2)(A).

- *The bill erects enormous procedural obstacles for a victim of self-help to overcome before she can seek the remedies provided.* H.R. 5211 creates a new cause of action for an affected file trader when a copyright owner “knowingly and intentionally impairs . . . [a] particular computer file . . . and has no reasonable basis to believe that such [file] constitutes an infringement of copyright,” and also causes over \$250 dollars in damages to the file trader. But where H.R. 5211 giveth, it also taketh away. Even though the copyright owner is engaging in egregious and willful activity, the bill erects procedural hurdles to innocent citizens seeking to obtain restitution for wrongful self-help. The innocent file trader cannot get to the courtroom without first getting permission from the Attorney General (Subsection (d)). Whether the victim will ever get to court is left to the sole discretion of the Attorney General, who has four months to make that determination. This creates a supreme irony: the bill erects huge legal barriers for citizens seeking remedies for misguided self-help, while it dismantles them for content companies seeking remedies for infringement. This is not only anti-consumer, it is also likely unconstitutional. It delegates to the Executive Branch the discretion to block civil litigants from access to Federal courts, and delegates to private parties the power to do what no government can; namely, to surreptitiously impose a prior restraint upon communications that are presumptively protected by the First Amendment without any judicial determination that the speech being suppressed is unlawful.
- *The bill expands protection for copyrighted works beyond that required by the Copyright Act.* Subsection (a) of the bill provides a safe harbor for self-help actions that impair the “unauthorized” distribution, display, performance or reproduction of a copyrighted work on a publicly accessible P2P network. But not all “unauthorized” uses of copyrighted works are illegal under the Copyright Act. In addition, as discussed above, by permitting self-help against individuals who merely make works available (rather than just those who illegally download available works), the bill gives copyright owners an additional “right to make available to the public.” This right is now only recognized by European intellectual property laws, and has heretofore been rejected in the U.S.

H.R. 5211 is well intended to stem the flow of illegal file trading, but it goes way beyond what is necessary to permit the content industries to engage in the type of non-invasive self-help described above. While Public Knowledge might consider supporting a narrowly-crafted proposal that clarifies that non-invasive self help is permissible, H.R. 5211 is not that bill.

Conclusion

In conclusion, I want to thank Chairman Coble, Congressman Berman and the other members of the Subcommittee for holding this hearing to discuss P2P networks. As the sole representative of consumer and citizens rights at this hearing, I would respectfully ask that you keep the record open for thirty days to permit other public interest organizations to submit testimony and comments.

Public Knowledge urges the Subcommittee to act cautiously before seeking to alter the nature of a technology that improves the already significant abilities and flexibility of computers and the Internet, benefits artists, educators and businesses, and may very well be the “magic bullet” that drives broadband adoption. Illegal file trading on P2P networks can be limited through a combination of rigorous enforcement of the law, non-invasive self help techniques and promotion of competition to build new business models for online music. H.R. 5211, however, goes far beyond what is necessary or reasonable to limit illegal file trading, and if passed, could lead to actions by copyright owners that could threaten the core capabilities of the Internet.

Thank you.

The CHAIR. Thank you, Ms. Sohn. And I am going to try to go quickly because we have 5-minute rounds and I am going to try to stick to that with everybody, and hopefully the comity of this effort will get information out for people.

So, first of all, it is impressive that you have so many conservatives supporting your nomination, and I do think that speaks to your work for so many years in the field and your commitments to those issues of free speech.

One of the issues, though, I kind of started thinking with all these attacks against you, I thought, well, this is a proxy fight for net neutrality. I think you and I have talked about that a little bit. And while I think that the Commission has every right to deal with net neutrality, I think me personally, I think the Congress is the best place to deal with that issue ultimately, because I think whatever the FCC does ends up probably in a legal dispute.

So, but that aside, I started thinking the vitriol of these attacks made me think that, no, it is even more than this, that somehow you are a smart, talented individual that is going to go there and fight for affordable broadband anywhere.

Ms. SOHN. Absolutely.

The CHAIR. And somehow, if affordable broadband gets deployed anywhere, then somehow more affordable broadband might get deployed everywhere. So, I think there is probably billions of dollars at stake here, and that is why the vitriol is coming at you.

Now, I hope that we can see through that today and really talk about the issues. I do want to talk about a couple of things, though, that have been brought up by my colleagues. So, I will get back to the issue of affordable broadband.

So, a lot of people have made things of tweets. These are retweets. Is that correct—most of the things that people have talked about are retweets, is that correct?

Ms. SOHN. Retweets and likes, yes.

The CHAIR. OK. So, I am not saying that that—I mean, we all should be held accountable. But my guess is I don't know that any of these people up here could be probably on any job, if we looked at all of their tweets and retweets and looked at what people said. So, to me, that is not the issue. Second, this letter from the Fraternal Order of Police. Do you support Edward Snowden?

Ms. SOHN. No, I actually think Edward Snowden is a Russian asset. I do not support Edward Snowden. And I think it is important to say that when somebody is on the board of an organization, it doesn't mean that they agree with every single thing they do.

I am on the board of the Electronic Frontier Foundation. I am a proud board member. But they are involved in about 50 different issues. And there are some things I care deeply about and I agree with, some things I don't agree with at all, including their embrace of Edward Snowden.

And some things, frankly, are not in my wheelhouse.

The CHAIR. I agree with you. I think it gets complicated. I mean, Peter Thiel is giving a ton of money to the EFF for awards for people that they think the EFF should be holding up. So, listen, it goes a lot of different ways. But on this issue of information for law enforcement, you believe in making sure that there are warrants and that people can get access to this information. Is that correct?

Ms. SOHN. Yes. If I am confirmed, I will fully abide by CALEA, which the FCC does have a small role in. And yes, I do believe that law enforcement needs to abide by the First and Fourth Amendments. I don't think that is a radical position at all.

The CHAIR. But people get confused on end-to-end encryption and think that there is no data available there and there is data. And once it is decrypted, they could also get access to that data. Is that not correct? And you support law enforcement getting access both

through the initial information and the decrypted information, is that correct?

Ms. SOHN. Yes.

The CHAIR. OK. So, I think there is a misalignment here about what your view is, at least from the perspective of that letter, and I hope that we can continue to have some information and correction on that.

And to this point of the settlement, again, another board that you were on and another settlement, which you didn't have anything to do with the details of the settlement. And in consequence, you also, when you were before this committee, were prohibited in talking about the exact details.

I think my colleague, Senator Wicker, tried to get you on this point, but you were prohibited by law from discussing that settlement amount as a board member. So, I just want, if you could clarify this again for the members quickly.

Ms. SOHN. Yes, I think there are a couple of things that need to be clarified. First of all, I was bound by the settlement agreement. OK, I was not a party to the litigation, so I never had any liability whatsoever.

So, this notion that, you know, I got some sort of sweetheart deal. There was never a sweetheart deal as to me. Frankly, it wasn't even a sweetheart deal as to Locast. So, there was a settlement decided on, on October 12th, that was 2 weeks before I was nominated and I did not know at the time that I was going to be nominated, that Locast would pay \$700,000 to the networks.

Then there was two weeks later, the document that I signed talked about \$32 billion. Now, that was never—I am sorry, Senator Cruz, you are wrong. The judge never said that there was a penalty of \$32 million, and the judge never said that Locast had any liability whatsoever.

The CHAIR. Well, we are going to get into this and my time has expired, but I just—I want people to know you came to the second hearing after that decision so we could have the hearing. So, I feel like you showed a great deal of transparency on this issue and I appreciate it. And I will have to get back to my lowering costs of broadband for the second round. Senator Cruz.

Senator CRUZ. Thank you, Madam Chair. Ms. Sohn, this is your third hearing. That is highly unusual. One of the reasons that you have had third hearing—three hearings is that in the first hearing, you went through the entire hearing without disclosing the sweetheart settlement concerning Locast.

And the entire purpose of the second hearing was when that came to light. You actively misled Ranking Member Wicker when he asked you in writing about the \$32 million settlement. You did not correct the record that it was, in fact, only 2 percent of that amount, \$700,000.

You also disclosed at that second hearing that you never notified the White House of this sweetheart deal, even though you signed it literally the day after they announced their intention to nominate you.

My question is this, do you think that your failure to disclose the secret deal to this committee and your failure to disclose it to the White House, do you think that reflected poor judgment, yes or no?

Ms. SOHN. No. I answered Senator Wicker's question honestly, and on advice of counsel.

Senator CRUZ. So, no, you don't think it was poor judgment?

Ms. SOHN. No, I do not, because I was bound by the confidentiality agreement of the settlement.

Senator CRUZ. With respect, no, you were not. The confidentiality agreement, Section 6.0 prohibited you from communicating with the media or the press. The last I checked, the U.S. Senate is not the media or the press. You had an obligation to answer this body accurately and you did not.

I would note the White House is not the media or the press, and you told this committee you didn't inform the President of it either. Let me move on, you don't think it was poor judgment to mislead this committee or to mislead the President who was nominating you. Let me ask you a second question—

Ms. SOHN. Senator, I don't agree that I misled this committee, so I would like to make that clear.

Senator CRUZ. The record is, I believe, abundantly clear. And in fact, I will be sending out my cross-examination from the last hearing where you repeatedly mislead this committee in that hearing. And in fact, we will go ahead and actually put this up.

I will note, I asked, did you disclose to the Committee that agreement? I did. Did you disclose the agreement to the Committee? I did. Hold on a second, did you disclose it to this committee, yes or no? I did.

You disclosed the \$700,000 secret settlement? No. So, three times you say I did, and then, oh, no, you did not. You misled this committee and you also misled the White House. Let me ask you second, the 15 months that your nomination has been pending, you have made not 1, not 2, not 3, you have made 12 separate political contributions to Senators running for office.

I have been in the Senate 10 years. I have never seen a nominee make contributions to Senators while your nomination is pending. I have never seen that once. I had my staff search the records, if we could find anyone in the Trump Administration who had done that, my staff was unable to find that.

You have been a significant political donor over the years, giving over \$32,000. You gave—do you believe it was poor judgment to give 12 separate political contributions to Democrat Senators while your nomination was pending?

Ms. SOHN. Senator, I am a citizen who just wanted to participate in the democratic process. The answer is no.

Senator CRUZ. So yes, or no? Do you think it is poor judgment to cut checks to Senators who are voting on your nomination while it is pending? No other nominee that we can find has ever done that. Do you think it was poor judgment?

Ms. SOHN. Relatively small donations, no, I don't.

Senator CRUZ. It was over \$1,000—\$32,000 over your life.

Ms. SOHN. Well, that is over my life.

Senator CRUZ. Well, over \$1,000 while your nomination was pending. All right.

Ms. SOHN. But not to one person. Most—

Senator CRUZ. Oh, no, no. They were to a dozen Senators. To a dozen different Senators, including Senators who have been critical

of your nomination and Senators who have not. You managed to cover the waterboard of Democrats running for office.

All right, let's turn to another issue, which is you have been an active supporter of a left-wing activist group called Fight for the Future. And I will say the record of Fight for the Future is really quite remarkable because they have blasted members of this committee on both sides of the aisle.

Here is a billboard that Fight for the Future put up in West Virginia in 2017 attacking Senator Joe Manchin, a Democrat. The billboard essentially accuses Joe Manchin of being corrupt. Ms. Sohn, do you believe Joe Manchin is corrupt?

Ms. SOHN. Absolutely not.

Senator CRUZ. You don't. OK. Well, that is interesting. I will point out in 2017, Fight for the Future also erected similar billboards accusing Senator Tester and Senator Peters of being corrupt, both of whom are members of this committee. I can't recall a nominee who has actively supported efforts to blast members of this committee to run billboards.

Ms. SOHN. Senator, may I address that, please?

Senator CRUZ. You may.

Ms. SOHN. When you say actively, I give every single organization with whom I work on net neutrality \$100 contributions at the end of the year. It doesn't mean I agree with their tactics.

Senator CRUZ. Ms. Sohn, with respect—the time is limited. And yes, it does, because after they put up the billboards attacking Manchin, Tester, and Peters as corrupt, afterwards, you sent this tweet. Just made my end of year donation to this organization, urging others to do it after they did that.

And because the time is limited, I will note this group also blasted Marsha Blackburn, Dan Sullivan, and astonishingly—Roger Wicker, and astonishingly called for Chairwoman Cantwell to be fired. And after each of those—to be removed as Chairwoman of this committee.

After each of those, you supported it. And in fact, I want to turn to the final point, the Roger Wicker one, where this group protested and said, "you are buying a Senator." And you said "you don't support their tactics."

I am going to point out you tweeted, "well done," to this radical group who blasted the former Ranking Member of this Committee in saying that his donors were "trying to buy a Senator."

If they were "trying to buy a Senator," were you "trying to buy Senators" when you made a dozen contributions?

Ms. SOHN. Senator, I did not know, number one, that that was about Senator Wicker. Number two, I was criticizing—

Senator CRUZ. It says Senator Roger Wicker, right there.

Ms. SOHN. OK. Well—

Senator CRUZ. That is literally what you retweeted was his name.

Ms. SOHN. That is fine. But I was actually criticizing the donors and not criticizing the Senator.

The CHAIR. Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you, Madam Chair. I have known Gigi Sohn for 30 years. Ms. Sohn is one of the single most qualified candidates for any position to ever come before the Commerce Committee for confirmation.

We knew that before Ms. Sohn testified before this committee in December 2021 as President Biden's nominee for the FCC, based on her decades of service protecting the public interest, that she had an outstanding record.

And we certainly know that now, as Ms. Sohn comes before the Committee for a third time, that her record is historically good. Since President Biden selected Ms. Sohn, she has become the subject of smears, double standards, and personal attacks. And let's be clear, it is not just Ms. Sohn who has suffered during this process.

The American people have suffered as well, because in the time when telecommunications policy and broadband are more important than ever, the Federal Communications Commission, the expert agency, has been missing a commissioner.

And without Ms. Sohn, the FCC has been unable to take critical steps to close the digital divide, make sure the Internet remains free and open for everyone, protects consumers, and ends the homework gap once and for all for American children.

So, make no mistake, every day that Ms. Sohn goes without being on the FCC is a win for giant telecommunications companies and their army of lobbyists here in Washington, D.C. It is a loss for the American people. And why do the giant companies oppose Ms. Sohn?

Because she believes in Darwinian paranoia inducing competition in the telecommunications field. She believes in consumer protections. Those giant incumbent companies want to change the name to incumbent communications companies.

They don't believe in competition and they don't believe in consumer protections, and that is why they don't want Gigi Sohn on the Committee. So, I would like to, actually for the record, introduce the 400 individuals and organizations who are supporting her, for the record.

The CHAIR. Without objection.

[The information referred to follows:]

Gigi Sohn for A Proactive, Consumer-Focused Federal Communications Commission

Supporting Individuals

Byron Allen, *Media executive*
Jamie Barnett, *Rear Admiral (ret.) USN, former FCC Chief of the Public Safety and Homeland Security Bureau*
David C. Bohnett, *Founder David Bohnett Foundation, tech entrepreneur*
Mignon Clyburn, *Former FCC Acting Chair and Commissioner, Principal MCL Strategies*
Martha Daniels Gamez, *Arizona resident, former California Democratic Party staffer*
Hilda Gay Legg, *Former USDA Rural Development State Director for Kentucky and the Former Administrator for RUS*
Terry Goddard, *Goddard Law Office PLC; President, Maricopa, Central Arizona Project; Former Mayor of Phoenix, and former Arizona Attorney General*
Crystal Good, *AfriLachian artist and digital media entrepreneur*
Dallas Harris, *Member of Nevada State Senate*
Judson Hill, *Former Republican Georgia State Senator*
Bob Knight, *Commissioner & Co-Chair, Public Officials Committee, Fiber Broadband Association*
Jim Kohlenberger, *Former White House technology advisor, Benton Institute for Broadband & Society board member*
Daniel Linville, *Member of West Virginia House of Delegates, Chairman of the Committee on Technology and Infrastructure*
Preston Padden, *Former Fox and ABC executive*
Robert Plymale, *Member of West Virginia Senate, West Virginia Broadband Enhancement Council*
Chip Pickering, *CEO of INCOMPAS, former Republican Congressman from Mississippi*
Thomas Pitchford, *LGBTQIA+ civil rights advocate*
Chad Rupe, *USDA Rural Utilities Service Administrator, Trump Administration*
Roger Timmerman, *Executive Director UTOPIA Fiber/Utah Infrastructure Agency; Delegate of Utah Republican Party*
Ravi Shah, *CEA, Southern Arizona AIDS Foundation*
David Simpson, *Rear Admiral (ret.) USN, Former FCC Public Safety and Homeland Security Bureau Chief*
Georgette Stevens, *President, Wai'anae Protestant Church*
Gloria Tristani, *Former FCC Commissioner*
David Turetsky, *Former FCC Chief of the Public Safety and Homeland Security Bureau*
Ron Yokubaitis, *CEO, Golden Frog*

Last updated February 13, 2023.

Supporting Institutions

'Olelo Community Media
 18 Million Rising
 2050 Hawaii, Inc.
 5G Free RI
 A. Philip Randolph Institute
 Access Humboldt
 Accountable Tech
 ADT
 Advocacy for Principled Action in Government
 Advocacy Initiative for Development (AID)
 AFL-CIO
 African American Ministers in Action
 Akaku Maui Community Media
 Ala Kuola
 Alarm Industry Communications Committee (AICC)
 Alaska State Library
 Alliance for Community Media
 Allstream
 Aloha Independent Living Hawaii
 American Association for Public Broadband
 American Association of People with Disabilities
 American Economic Liberties Project
 American Federation of State, County and Municipal Employees (AFSCME)
 American Federation of Teachers
 American Humanist Association
 American Library Association
 American Society on Aging
 Andrew Goodman Foundation, Inc.
 Appalshop Community Media Initiative
 Arizona State University
 Arlington Community Media Inc.
 Arlington Independent Media
 Asbury Park Free Public Library
 Ashbury Senior Computer Community Center (ASC3)
 Asian Americans Advancing Justice - AAJC
 Aspiration
 Association of LGBTQ+ Corporate Directors
 Athlete Ally
 Baltimore Arts Realty Corporation
 Baltimore City Mayor's Office
 Belmont Media Center
 Benton Institute for Broadband & Society
 Berwick Community Media
 Boulder Thinking, LLC
 Branford Community Television
 Buckeye Hills Regional Council
 buildJUSTLY
 California Brain Tumor Association
 California Center for Rural Policy
 California Clean Money Campaign
 California Community Foundation Digital Equity Initiative
 California Emerging Technology Fund
 California LGBT Arts Alliance
 Cambodian American Community Council of Washington
 Capital Community Media
 CARDBoard Project
 Cat's in the Cradle New Life Sanctuary
 Catholics for Choice
 CATS Community Access Television Services
 CCTV Center for Media + Democracy
 Center for Accessible Technology
 Center for American Progress
 Center for Democracy & Technology
 Center for Disability Rights
 Center for Rural Strategies
 Chamber of Progress
 Channelford Associates Inc
 Christ is Relief Inc
 Citizen Fiber Initiative Group
 City of New Bedford Cable Access - New Bedford, MA
 City of Portland
 City of San Jose
 City of Seattle Department of Information Technology
 Civic Education Council
 Civic Shout
 Clear Light Ventures
 Clearinghouse on Women's Issues
 Coalition for a Drug Free Hawaii
 Coalition on Human Needs
 Code in the Schools
 Color Of Change
 Common Cause
 Common Sense
 Communication Service for the Deaf, Inc.
 Communications Workers of America (CWA)

Communities Closing the Urban Digital Divide	Electronic Privacy Information Center (EPIC)
Community Media Access Collaborative	EMF Safety Network
Community Media Center Of Marin	Engine
Community Tech Network	Environmental Working Group
CompTIA	Equality California
Computer & Communications Industry Association (CCIA)	Equality Federation
Computer Reach	Equity Initiative
Connect Your Community Institute	EveryLibrary Institute
Connecting Appalachia	EveryoneOn
ConnectMaine	EYEJ: Empowering Youth, Exploring Justice
Consumer Technology Association (CTA)	Falmouth Community Television Corp, Inc.
Consumers for Safe Cell Phones	Families Advocating for Chemical and Toxics Safety
The Cooperative Baptist Fellowship of Mississippi	Family Equality
CoSN	FC Public Media
Council for Global Equality	Feminist Majority Foundation
Crescent City Media Group	Fiber Broadband Association (FBA)
Crown Castle	FiberComm
CSM Consulting, Inc.	Fight for the Future
Daily Kos	FirstLight Fiber
Davis Media Access	Framingham Public Access Corporation
Decode Democracy	Free Press Action
Defending Rights & Dissent	The Freedom BLOC
Demand Progress Action	FREE! Families Rally for Emancipation and Empowerment
Democracy for America	Friends of Makakilo
Derry Community Access Media	Friends of the Earth
Detroit Community Technology Project	Friends Of Waimānalo
Digital Connect Initiative	Front Porch
Digital Defense Fund	Fuse Media
Digital Equity Institute	Fuse.Cloud
Digital Equity Learning Network of King County	Future of Music Coalition
Digital Equity Research Center	Gila River Telecommunications, Inc.
Digitunity	GLAAD
DISH	GLBTQ Legal Advocates
Duluth Public Access Community Television	GLSEN
E-Rate & Educational Services, LLC	Golden Frog, GmbH
E-Rate Central	Granby Community Access and Media, Inc.
E-RATE ONLINE	Granite Telecommunications, LLC
E2D, Inc.	Greater Northshire Access Television, Inc.
East Area Progressive Democrats, Veterans Committee	Greenfield Community Television
Economic Security Project Action	The Greenlining Institute
Education SuperHighway	Greenpeace USA
Educational Consulting Associates	GWI
Educational Professional Services	Hadley Media - Town of Hadley
Electronic Frontier Foundation	Harrison Edwards, Inc.

Hawai'i Friends of Restorative Justice	Libraries Without Borders US
Hawai'i Pono'i Coalition	LICT Corporation
Hawai'i Women in Filmmaking	LISC Phoenix
Hawaii Broadband and Digital Equity Office	Literacy Assistance Center
Hawaii Broadband Hui	Literacy Source
Hawaii Consumers	Local Initiatives Support Corporation (LISC)
Hawaii International Film Festival	Local TV, inc
Hillary Communications, LLC	Los Angeles County Economic Development
Hispanic Federation	Corporation
Human Rights Campaign	LPAC Action Network
Human-I-T	Lucky Thirteen Design & Consulting LLC
Hustle	Lucy Parsons Labs
IBSA, Inc.	LULAC Illinois Education Council 5238
IdeaTek	Lynn Community Television
Illinois for Educational Equity	Maine Broadband Coalition
Impact Fund	Maine Community Media Association
INCOMPAS	The Marconi Society
Indivisible Sacramento	Massachusetts Community Media dba MassAccess
InnovateEDU	Medfield TV
Institute for Local Self-Reliance	Media Alliance
Inteliquent	Media, Inequality & Change Center
InterAct	MediaJustice
International Brotherhood of Electrical Workers (IBEW)	Melrose Massachusetts Television
Internet Infrastructure Coalition	Merit Network, Michigan
Jack Straw Cultural Center	MetroEast Community Media
JAG - Jersey Access Group	MetTel
Japanese American Citizens League	Mobile Beacon
Jeff Davis County Library	Mobile Citizen, a Voqal Project
The Juggernaut Project	mohuman
JusticeLA Coalition	More Perfect Union
Kairos Action	Motor House
Kansas City Public Library	Movement Alliance Project
Kipahulu Ohana, Inc.	Movement Labs
KOKO LP - 96.3 FM Hana Maui	MoveOn
Lake Champlain Access Television	Mozilla Foundation
Lambda Legal	MPower Change Action Fund
Last Tree Laws	MuralNet
Latinx Digital Leaders Now	Muslim Advocates
The Lawyers' Committee for Civil Rights Under Law	Muslim Counterpublics Lab
Lawyers for Good Governance	NAACP
The Leadership Conference on Civil and Human Rights	Nantucket Community Television, Inc.
League of Conservation Voters	National Association of Housing Cooperatives
LGBT Technology Partnership	National Association of Telecommunications Officers & Advisors (NATOA)
LGBTQ Victory Institute	National Association of the Deaf

National Black Justice Coalition	OpenMedia
National Center for Transgender Equality	Orion Neighborhood Television (ONTV)
National Collaborative for Digital Equity	Other98
National Consumers League	Our Revolution
National Council of Asian Pacific Americans	Outpost Publishers Cooperative
National Digital Equity Center	Pacific American Foundation
National Digital Inclusion Alliance	Pacific Northwest Gigapop
National Fair Housing Alliance	Parents Television and Media Council
National Federation of Community Broadcasters (NFCB)	Partners Bridging the Digital Divide
National LGBTQ Task Force Action Fund	PCs for People
National Organization for Women	Peabody TV
National Partnership for Women & Families	People For the American Way
National Skills Coalition	People's Parity Project
National Treasury Employees Union	PFLAG National
National Tribal Telecommunications Association (NTTA)	PhillyCAM
National Urban League	Presente.org
Native Public Media	Pride at Work
Navajo Nation	Privacy Right Clearinghouse
NC Telehealth Network Association	Pro-Choice North Carolina
NENA	Pro-Choice Washington
New America's Open Technology Institute	Progress America
New Hampshire Coalition for Community Media	Progressive Change Campaign Committee
Newark for Educational Equity & Diversity	Progressive Technology Project
Newsmax	Public Advocacy for Kids (PAK)
North Shore TV	Public Citizen
Northern Arapaho Business Council	Public Health Innovators, LLC
Northwest Access TV	Public Knowledge
Norway Paris Community TV	Rebuild Johnston Square Neighborhood Organization, Inc.
NTCA – The Rural Broadband Association	REC Networks
NTEN	Red Rock Mountain Studios LLC
The Oasis Institute	Redbud Telecom Consulting
OCA - Asian Pacific American Advocates	Reframe Health and Justice
OD Action	Restore The Fourth
Office for Community Technology, City of Portland, Oregon	Revolving Door Project
Omaha Community Broadcasting	Right Here, Right Now Project
The OMNI Centre for Public Media, Inc.	ROANEnet
OMNI Productions	Robert W. Deutsch Foundation
The Open Markets Institute	RootsAction.org
Open MIC (Open Media and Information Companies Initiative)	Rural America Strategies, LLC
Open Technology Institute	Rural Arizona Action
Open Works	Rural Wireless Association, Inc.
	Saco River Community Media
	Sacramento Community Cable Foundation
	Salem Community Television, Salem NH

Salina Media Connection; Community Access TV of Salina, Inc.,	Tilson
San Diego Futures Foundation	Together for Hope: A Rural Development Coalition
Schools, Health & Libraries Broadband (SHLB) Coalition	Town of Ridgefield Economic & Community Development Commission
Secure Justice	The Trevor Project
Service Employees International Union (SEIU)	Truconnect Communications, Inc.
The Sex Workers Project of the Urban Justice Center	Tunica-Biloxi Tribe of Louisiana
Silicon Harlem	TURN - The Utility Reform Network
Silver State Equality – Nevada	UCLA Center on Race & Digital Justice
Smith Bagley, Inc.	UltraViolet Action
Socket	UnidosUS
Sonic Telecom	UNITE-LA
Soulee LKO Stroud	United Church of Christ Media Justice Ministry
Sound E-rate, Inc.	Uniti Group, Inc.
South Central Alabama Broadband Cooperative District	Urban Libraries Council
Southern Echo Inc.	US Ignite
Southern Oregon Education Service District	UTOPIA Fiber
Southern Rural Black Women's Initiative for Economic and Social Justice	Valley Shore Community Television Inc.
Southwest Pennsylvania for Safe Technology	Valley Vision
SPEAK MPLS	Vermont Access Network
Specotel Holding Company LLC	Vermont Mutual Aid Society
Springfield Area Public Access Television	Visionary Broadband
Starry, Inc	Voqal
State Educational Technology Directors Association (SETDA)	Voto Latino
Stemnastics LLC	WA People's Privacy
Sun Corridor Network	WACA TV
Surveillance Technology Oversight Project (S.T.O.P.)	Waikiki Hawaiian Civic Club
SVPA Community Media, BRIC Arts Media, Brooklyn, NY	Wallingford Public Access Association, Inc. d/b/a WPAA-TV
Swinging Sixties Productions	Wastewater Alternatives and Innovations
Tahoe Truckee Media	West Hartford Community Interactive
TakeItBack.Org	Western New York Library Resources Council
Tech for Good Asia	Wide Angle Youth Media
Tech Goes Home	Winchester Community Access & Media, Inc.
The Tech Oversight Project	Wired Broadband, Inc.
Technology Learning Collaborative	Wisconsin Department of Public Instruction
Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)	Women's March
Terabyte Media LLC	Woodhull Freedom Foundation
Texas Networking, Inc.	The Workers Circle
Texoma Communications, LLC	Writers Guild of America, West
Thundercloud, Inc.	X-Lab
	Zayo
	ZenFi Networks

Senator MARKEY. Thank you. And I would like to turn to you, Ms. Sohn, with the remainder of my time, and give you an opportunity to respond to any of the accusations that have already been made about you in this committee.

Ms. SOHN. Yes, I would like to actually like to address something that Senator Thune talked about, about an alleged leak at the FCC. And what he is talking about was an inspector general report 2016, 7 years ago, where the Inspector General found that because Chairman Wheeler had authorized me to speak to the press about something that was nonpublic, that it became public.

So, there was no leak, and the Inspector General cleared everybody of wrongdoing. So, I think it is really important to understand that when you are talking about my honesty and integrity, the IG report found no wrongdoing and there was no leak.

That is a meme that keeps getting repeated, and that just frankly drives me a little bit nuts. The other thing I wanted to discuss was back to the Locast case. The Locast case was never about money.

Even before I joined the board in 2019, 2 months after the case was filed, the parties agreed that this case was not about piracy, that it was about whether Locast qualified for an exemption as a nonprofit under the copyright law.

And that is why this case has never been about money. What the networks wanted and why they settled was because they wanted Locast gone, and that \$32 million was just put in a public document in order to scare away the next Locast.

Senator MARKEY. Meaning that they wanted to ensure that there was a deterrent to any other competitors that might want to get into the communications sector. Is that what you are saying?

Ms. SOHN. Yes. So, \$32 million was what the plaintiffs could have gotten had we gone to trial, and had we appealed. We decided not to appeal, even though, frankly, the case was weak. The networks were delighted, in fact they were pressuring us to settle because it was such a weak decision.

Senator MARKEY. So, you settled, or Locast settled because of the incumbent telecommunications companies that wanted so.

Ms. SOHN. Yes. So, and that is the thing, a settlement is an agreement between two parties. That is why I find it odd to call it a sweetheart deal.

You are talking on one side about the most powerful networks, right, the four broadcast networks and I think there were some other broadcasters as well, versus this little nonprofit that had a \$2 million budget.

I mean, it is a settlement. It is an agreement between two parties. It is not a sweetheart deal. I think the broadcasters got exactly what they wanted. Locast did not get what it wanted. Locast wanted to stay in business.

Senator MARKEY. There are so many red herrings against your candidacy. We might have to put in an aquarium here in the well of the Committee to be able to nominate them all. Thank you.

The CHAIR. Senator Thune.

Senator THUNE. Thank you, Madam Chair. And let me just go back because you mentioned something about this being a proxy

fight over net neutrality. And it really isn't that. But we did go back, we restored the—in 2017, those rules were reversed.

Six years since then, broadband access has expanded and reached more rural areas, Internet speeds have increased, there is more competition, creating more value to consumers here in the United States.

And even in the U.K., which imposed heavy handed net neutrality regulations in 2016, they moved to lessen its net neutrality regulations after seeing a decrease in broadband investment and not being able to meet consumers' demands through the course of the pandemic.

So, you said—and I mean, your support for that is very clear. But the reason I don't think this is not a proxy on net neutrality, your nomination. I think what perhaps it is a proxy on is the partisanship with which you approach not only that issue but every other issue.

There was an attempt here on this committee to try and come up with a bipartisan agreement to deal with the issue of blocking, throttling, paid prioritization, all those sorts of things. And then the FCC under Chairman Wheeler, who was a very partisan FCC Chairman, probably the most partisan in history, decided to go their own way.

And so, my question, I guess, having to do with that subject, because I want to get to one other issue that you mentioned. But let's just say, for example, that Congress were to decide, you know, to do something on this issue of blocking, for example.

Do you believe that the FCC should come to Congress for more direction before attempting any iteration of net neutrality rules to prevent the back and forth between administrations, which is what we will see when administrations flip and the FCC changes majorities, you are going to get this back and forth, which creates no stability, no predictability, and completely undermines the conditions for investment, if you want to continue to see the technology expand and grow.

So, I guess the question is, do you think that the FCC ought to come to Congress before you do something like that, yes or no?

Ms. SOHN. Senator, I think I said this in both my hearings, prior hearings. I would love for Congress to give the FCC proper authority and specific authority to adopt net neutrality rules. Now, net neutrality has been repealed now for—well, we have been debating net neutrality for over 20 years and Congress has not done so.

The most important thing I want to make clear is that to me the issue is not about blocking and throttling and paid prioritization. It is about whether an agency, which was created in 1934 to oversee communications networks, should have the power to oversee the most powerful communications network of our time.

Congress has had many, two decades now, to decide that authority, and it has refused to do so. However, I still believe Congress should do so, and I beg Congress to do so. But until then, until it does so, the agency has got to have authority.

Senator THUNE. So, if we came up with something up here that, for example, legislation that would prevent blocking but only blocking, would you support that, yes, or no?

Ms. SOHN. As a partial solution, yes, but not the entire solution.

Senator THUNE. All right. Let's shift to the, as you will likely recall, as part of a request I made to the FCC when serving as Chairman of this Committee, you were named, you mentioned this as being a source for leak of confidential information that ultimately turned what could have been a bipartisan decision to adopt a cap for the Lifeline Program into a partisan vote that left the program uncapped at the time. You recall this particular investigation, you said you did—

Ms. SOHN. Absolutely.

Senator THUNE. So, is it correct that you did leak certain information about the FCC's Lifeline order to the press at the direction of then Chairman Wheeler, yes, or no?

Ms. SOHN. It was not a leak. I will admit that I called *Politico* and told them that there was a deal, although I did not reveal the amount of the cap because Chairman Wheeler authorized me only to reveal the existence of the cap, not the amount. And when he authorized me, as the IG says on the final page, that turned non-public information into public information. So, at that point, it was no longer a leak.

Senator THUNE. Well, on the IG report, the point isn't that it was illegal, but that it was blown—it blew up a bipartisan deal.

So, I want to come back to my original premise, and that is your activities at the FCC previous, everything that you have advocated since, including activity in political campaigns, which has already been alluded to, suggests that you would be a very partisan influence on a Commission that, in my view, deals with issues where you need to try and find some consensus.

What happened with the IG report, and I have got a copy of the IG report here, is that a deal, which was in the, you know, throes of being made between the—all five Commissioners, Republicans and Democrats, was scuttled and it was tanked.

It was torpedoed by going public and trying to undermine that deal. That to me is, I think, the essence of what the IG report suggests, and I think it does get at the very heart of your qualifications as an FCC Commissioner.

And I know I am out of time, so I would just add one final point. And I said this before at a hearing last year, and that is the issues—there was an Op-ed that Heidi Heitkamp, former Senator, Democrat Senator from North Dakota, submitted while your nomination was under consideration previously, in which she says, "Sohn is wrong for the FCC and rural America," based on your comments, critical comments about delivery of broadband in rural areas?

The CHAIR. I am going to let Ms. Sohn respond to that. Thank you, quickly, and then we are going to Senator Klobuchar.

Ms. SOHN. Yes. So just two things really quickly. Chairman Wheeler, and it is in the IG report, would have gone along with that vote. The only reason that I was asked to call *Politico* is because the meeting kept getting delayed and delayed and delayed and we were just being inundated with calls.

So, Wheeler actually would have done anything that Commissioner Clyburn would have asked to do. So that is number one. Number two, on the Heitkamp point. I am supported by, as you saw Chad Rupe, former RUS Administrator for the Trump Admin-

istration, Hilda Legg, former RUS Administrator for the Bush Administration, and NTCA, the Rural Broadband Association, WTA, Rural Broadband Advocates, and the Rural Wireless Association.

And that is because I believe they need better broadband and I am absolutely a huge supporter. What I have criticized, and what Senator Heitkamp took way out of context was a speech that I gave that said that the Federal Government had not done a good enough job with the \$50 billion it had over a decade in getting rural broadband to America.

So, she took what I said completely out of context. I am a huge supporter of rural broadband and my supporters prove it.

The CHAIR. Thank you—

Senator THUNE. Madam Chair, the IG report, the whole point was to scuttle a bipartisan deal on Lifeline.

The CHAIR. Senator Klobuchar.

**STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. OK. Thank you very much, Ms. Sohn. Let's take off on the broadband issue, which is so big to so many of us, especially those of us with rural areas. We know the FCC is responsible, one of the key agencies responsible for the rollout of the bipartisan infrastructure law. How does the lack of a full Commission, which has been going on for way too long, ultimately affect consumers who need reliable, affordable Internet access?

Ms. SOHN. Well, it affects them in a myriad of different ways. I mean, first, and this is one of my frustrations of not having been confirmed yet, is I would love to be able to help the FCC ensure that they have the most accurate broadband map that they can possibly have.

Now, I can't fix it myself, but I have unbelievable relationships with the states, including many of the states of folks that sit on this dais, and I would love to help improve that broadband map.

And without an accurate broadband map, the money that is going to be spent by the Commerce Department is not going to go to the right places. And this is not to criticize the FCC. I think they are doing the best they can with what they have. But I could be an enormous help in that regard. There are many other things—I will stop there.

Senator KLOBUCHAR. OK. I want to turn to something else I care a lot about, and I think you and I have talked about this before, and that is 9-1-1 centers. An estimated 240 million calls are made to 9-1-1 centers annually.

However, often they are relying on outdated technologies. In many places, it doesn't even support text messages, which is how so many people are going to contact 9-1-1. Can you speak to the importance of upgrading 9-1-1 systems?

I am one of the Chairs of the 911 Caucus. I have always cared a lot about this issue. And if confirmed, could you talk about what you think needs to be done?

Ms. SOHN. Yes, look, there is nothing more important that the FCC does that ensures that the public is safe.

And when I was at the FCC with Chairman Wheeler, we actually started the proceeding that kind of got kicked off, NG 9-1-1, and

that is why public safety officials and NENA, which is the 9-1-1 association, support my confirmation.

So, I would want to improve NG 9-1-1, if I am confirmed, and certainly ensure that it works properly in rural areas, because I know that is a problem.

Senator KLOBUCHAR. OK. Speaking of something else that you have touched on before about rural areas, and that is back to the broadband issue. In rural areas of my State, about 16 percent of households lack access at even baseline speeds.

And could you talk about your plans, after this bill has been passed, for achieving universal access to broadband, specifically in rural communities?

Ms. SOHN. Yes. Thanks, Senator. What I believe deeply is that the FCC needs to work very, very closely with the NTIA to ensure that the really over \$47 billion that the broadband infrastructure—the bipartisan infrastructure law has put out for broadband deployment is well spent, and that the states have the wherewithal to spend that money wisely.

Because what we don't want is to come back in 5 years and say, wow, we spent \$47 billion and we still have huge swaths of America, of rural America, and frankly, urban America, that don't have adequate broadband.

So, I think the FCC needs to be a partner with the NTIA in implementing the terms of the infrastructure law and making sure that that money is spent, the taxpayer money is spent wisely and effectively.

Senator KLOBUCHAR. Thank you. One of the issues that have come up over the years is the mapping, and maps have been a serious problem. I know you know that. The Broadband Data Act, which I led with Senators Wicker, and Peters, and Thune, is focused on improving the FCC's data collection process to get more accurate maps.

It was signed into law in March 2020. Talk about how you are going to be able to focus on maps, if confirmed, to the areas that are served or unserved?

Ms. SOHN. Senator, I will make this vow to everybody on this—in this room and on this dais. If I am confirmed, the first thing I am going to do is offer my assistance to the Chairwoman to do anything that it takes to make those maps as accurate as possible, so when NTIA gives out that money or allocates that money on June 30, we have the best map possible in the time that we have.

Now, the map is iterative and it is going to keep getting better, getting better, getting better, but that June 30th date is a really, really critical date. And that is why time is really of the essence to get me confirmed. Because if I don't get confirmed at all, there is not going to be a fifth person on the FCC in time to do anything about those maps.

So, I care deeply about this issue because I worked really, really hard on the broadband provisions of the infrastructure law. I was the person who sold it to the public interest community.

It was not everything that the public interest community wanted, but I thought it was important because it was bipartisan and it was a lot of money, and it could do a lot of good. And I would like to continue that.

The CHAIR. Thank you. Senator Peters.
Senator KLOBUCHAR. Thank you very much. Thank you.

**STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Thank you, Madam Chair. Ms. Sohn, well certainly, thank you for appearing before the Committee now a third time, and I certainly appreciate the opportunity to further discuss both your priorities and my priorities, and how the FCC can best serve Americans.

First question is related to auto safety, and as Chairman of the Surface Transportation Subcommittee, I am focused on improving safety on our roadways. Nearly 43,000 people died on our roads in 2021, the largest year over year increase since we began collecting records. And many of these deaths are avoidable, if we facilitate broad deployment of roadway safety technologies like C-V2X, which basically stands for cellular vehicle to everything technology.

And that is why State Departments of Transportation, industry, safety groups, and academia have all lined up to ask the FCC to grant waivers to allow the deployment of this lifesaving technology, which, among other things, can enable vehicles to see around corners, beyond visual line of sight, provide safety warnings to at-blind intersections, alert driver to poor road conditions, or active school or work zones.

Previous studies have estimated that deploying this technology could eliminate or mitigate the severity of more than 80 percent of light vehicle crashes. Deployment will also keep us from falling behind other nations that are already integrating this technology into their infrastructure.

And that is why yesterday, Senator Lummis and I sent a letter to the FCC urging it to take action to grant these waivers and move forward on this technology within the auto safety spectrum.

Madam Chair Cantwell, I would, without objection, would like to submit the bipartisan letter.

The CHAIR. Without objection.
[The information referred to follows:]

United States Senate
WASHINGTON, DC 20510

February 13, 2023

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L St., NE
Washington, D.C. 20554

Dear Chair Rosenworcel:

We write to urge the Federal Communications Commission (FCC) to take swift action on pending waiver requests to enable deployment of Cellular Vehicle-to-Everything (C-V2X) technology in the 5.9 GHz spectrum band. C-V2X technology is poised to save lives, will pave the way for the future of automobile and transportation infrastructure, and is supported by public and private transportation stakeholders from local and state governments to industry, academia, and public safety groups.

C-V2X is an intelligent transportation system (ITS) technology that allows data sharing between vehicles, roadside infrastructure, and nearby road users to enable various safety and efficiency applications. On November 20, 2020, the FCC announced its intention to offer waivers under 47 C.F.R. § 2.106, NG160 to transportation stakeholders to begin deployment of C-V2X technology in the 5.895-5.925 GHz spectrum band preceding the FCC's promulgation of a final ITS spectrum rule.¹ Since that announcement, the FCC's Public Safety and Homeland Security Bureau has received 18 waiver requests covering 31 entities seeking to deploy C-V2X technology, though none have yet been granted. We urge the FCC to continue working with the U.S. Department of Transportation and the National Telecommunications and Information Administration to quickly resolve any outstanding issues and expeditiously approve the waiver requests.

Swift action on these waivers is essential given C-V2X technology's potential to reverse rising roadway fatalities. The National Highway Traffic Safety Administration (NHTSA) estimated that 42,915 people died in motor vehicle traffic crashes in 2021, a 10.5 percent increase from 2020.² This represents the highest number of fatalities since 2005 and the largest annual percentage increase in the history of NHTSA's **Fatality Analysis Reporting System**. Many of these deaths are avoidable if we facilitate broad deployment of roadway safety technologies like C-V2X. Indeed, NHTSA has previously estimated that safety applications enabled by V2X could eliminate or mitigate the severity of more than 80 percent of light vehicle crashes.³

¹ FCC Docket 19-138, Use of the 5.850-5.925 GHz Band, First Order and Report, Further Notice of proposed Rulemaking, and order of Proposed Modification, <https://docs.fcc.gov/public/attachments/FCC-20-164A1.pdf>.

² NHTSA, Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, <https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities>.

³ U.S. Department of Transportation, Federal Motor Vehicle Safety Standards; V2V Communications, 82 Fed. Reg. 3854, 3863 (Jan. 12, 2017).

In addition to bolstering roadway safety, C-V2X technology can improve roadway efficiency and contribute to emissions reductions. In fact, the multi-agency U.S. National Blueprint for Transportation Decarbonization released in January 2023 stated that “connected mobility solutions enable unprecedented system-level improvements—better communication among vehicles and with infrastructure can smooth traffic flow and reduce congestion.”⁴ These benefits cannot be realized without action from the FCC to allow the safe deployment and scaling of this technology.

Encouragingly, the record before the FCC in the 5.9 GHz docket⁵ demonstrates that the ITS ecosystem is eager to integrate C-V2X technology into roadway systems and vehicles as soon as possible. State Departments of Transportation, U.S. automakers, universities, and other entities alike have submitted waiver requests and eagerly await the regulatory certainty that the FCC must provide to open America’s roadways to C-V2X-equipped vehicles and associated infrastructure. Among these is a coalition led by the University of Michigan which will deploy 21 C-V2X roadside units (RSUs) and 200 onboard units (OBUs) throughout Ann Arbor, Michigan. The University of Michigan coalition’s project will allow the transmission of vehicle safety warnings like forward collision warnings, vulnerable road user protection warnings to protect pedestrians and bicyclists, transit signal priority transmission to improve the flow of traffic, emergency vehicle preemption to clear the path for first responders, and more.⁶ These represent just a few of the applications of C-V2X technology, and it is our expectation that many more will be realized once the FCC begins approving these waiver requests.

Recognizing the FCC’s mandate of responsible stewardship of U.S. spectrum use for the public interest and given the many ways in which Americans stand to benefit upon deployment of this technology, we urge you to act swiftly to approve the pending waiver requests for the deployment of C-V2X technology in the 5.9 GHz spectrum band.

Sincerely,



Gary C. Peters
United States Senator



Cynthia M. Lummis
United States Senator

⁴ The U.S. National Blueprint for Transportation Decarbonization, <https://www.energy.gov/sites/default/files/2023-01/the-us-national-blueprint-for-transportation-decarbonization.pdf>.

⁵ FCC Docket 19-138, Use of the 5.850-5.925 GHz Band, [https://www.fcc.gov/ecfs/search/search-filings/results?q=\(proceedings.name:\(%2219-138%22\)\)&limit=100&sort=date_disseminated](https://www.fcc.gov/ecfs/search/search-filings/results?q=(proceedings.name:(%2219-138%22))&limit=100&sort=date_disseminated).

⁶ FCC Docket 19-138, Use of the 5.850-5.925 GHz Band, Request for Waiver of 5.9 GHz Band Rules to Permit Deployments of Cellular Vehicle-to-Everything Technology, <https://www.fcc.gov/ecfs/document/10811671504488/1>.

Senator PETERS. Thank you. So, Ms. Sohn, my question to you is, do you agree that it is important for Americans that we protect auto safety spectrum and deploy safety technologies like C-V2X on American roadways?

Ms. SOHN. Absolutely, sir. Yes.

Senator PETERS. Thank you. Second, as you know, in 2020, Congress passed the Secure and Trusted Communications Act to ensure that American broadband networks were free from the influence of Chinese state connected companies like Huawei and ZTE.

In that bill, Congress promised broadband providers that we would help them pay and, “rip and replace,” this equipment.

So, my first question is to you, do you agree with the Secure and Trusted Communications Act that it is critical to our national security to eliminate Chinese state connected technologies from U.S. networks?

Ms. SOHN. Yes, sir. And I agree with former Commissioner O'Rielly that it is underfunded right now and needs more money.

Senator PETERS. Well, that leads the next question. Certainly, securing the networks is essential, and that is why I have been disappointed by Congress' failure to close the Rip and Replace funding shortfall that rural providers are facing as they try to remove Huawei and other equipment from their broadband networks.

Ms. Sohn, the first time you were before this committee, we talked about the importance of supporting innovative broadband solutions like Northern Michigan University's Educational Access Network in Michigan's Upper Peninsula.

And now that very network and the communities that it serves are basically being hostage or being held hostage by a \$27 million funding shortfall to carry out this Rip and Replace mandate.

As Michigan's representative here in Congress and in the Senate, I am committed to getting this funding, of course, across the finish line. But my question for you, as an FCC Commissioner, would you commit to working with the Hill and rural broadband providers to ensure that they are supported throughout this critical process to secure our networks?

Ms. SOHN. Yes, sir. And in fact, I just met with a bunch of members of the Rural Wireless Association who talk to me about their concerns of invoices not getting paid for Rip and Replace, so I have a great relationship with those broadband providers. And yes, I absolutely will work with them.

Senator PETERS. Great. Thank you. Thank you, Madam Chair.

The CHAIR. Thank you. Senator Fischer. And I apologize, she should have been next before, so thank you for your indulgence. Appreciate it.

**STATEMENT OF HON. DEB FISCHER,
U.S. SENATOR FROM NEBRASKA**

Senator FISCHER. Thank you, Madam Chair. This is now the third time that Ms. Sohn has come before the Committee. She has given dismissive and evasive answers, and outright flipped on positions she had otherwise consistently taken throughout her career. I continue to have serious concerns about the nominee's record.

She has troubling conflicts of interest which prompted her second appearance before the Committee last year. She was a leading board member of Locast, a company that pirated content from local broadcasters.

A Federal court issued an injunction against her company from operating this illegal scheme. Ms. Sohn tried to do damage control in our hearings. She eventually promised to recuse herself from certain proceedings at the FCC, if confirmed. I believe this promise essentially admitted to conflicts of interests on matters such as retransmission consent and television copyrights, but her recusal was non-binding and vaguely construed.

Her answers to hearing questions also showed no regret for her actions. She even downplayed the situation by emphasizing that

Locast was just a nonprofit, framing the company as if it were a charity. It is not. The FCC is charged with protecting intellectual property rights.

Copyright protections are the lifeblood of local broadcasters. But Ms. Sohn thinks she is some kind of copyright Robin Hood. She told this very committee that she thought she was helping broadcasters while she was, in fact, stealing their content. It is incredible. Locast wasn't the first copyright controversy centered around Ms. Sohn.

She also championed the FCC's failed Set-Top Box order while she was a senior adviser at the Commission. That order received major blowback for the lack of transparency around its drafting and circulation as well. I previously questioned Ms. Sohn about transparency concerns, such as why she bragged on a public panel about concealing another controversial order as a senior FCC adviser.

Then there was the Inspector General report, which I would say found that she did leak confidential documents to the press while employed at the FCC. Her actions purposely derailed a bipartisan agreement to reform the Lifeline Program.

I am certain we will only see more of this partisan deceptive conduct if the Senate moves this nomination forward. The FCC's mission rests on advancing communications in ways that serve the public interest. I am afraid Ms. Sohn and I have very different outlooks about what is in the public interest.

I cannot support a nominee who would put rural broadband access on the back burner. I cannot support a nominee who has willfully jeopardized local broadcast stations. I cannot support a nominee who would oversee public safety communications but has amplified rhetoric to defund the police.

And I cannot support a nominee who has a record of acting unethically while working at the very agency to which she is nominated. I voted for Democratic FCC nominees in the past, including Chairman Rosenworcel and Chairman Stark—and Commissioner Starks. I do not agree with all of their positions, but they were qualified and they were not driven by bias.

This nomination has turned into a spectacle because of the nominee's own record and actions. I will not support a partisan nominee and I urge the Administration to withdraw the nomination.

At the previous two hearings, I have asked the nominee questions and I have no additional questions at this time. Thank you, Mr. Chairman.

Senator LUJÁN. Thank you, Senator. Next, I will recognize myself for 5 minutes. Ms. Sohn, did you have something you wanted to respond to?

Ms. SOHN. Well, it might take up the full 5 minutes. I would like an opportunity to respond to Senator Fischer.

Senator FISCHER. I ask no questions, Mr. Chairman.

Senator LUJÁN. Thank you, Senator. Ms. Sohn, opponents to your nomination continue to classify your support of net neutrality as, "extreme." Ms. Sohn, do majority of Republican and Democratic voters support net neutrality?

Ms. SOHN. By overwhelming margins.

Senator LUJÁN. So, a majority of Americans, Democratic voters, Republican voters, Independents, believe net neutrality is needed. Now, to me, that is the opposite of extreme. We should ensure Internet providers are common carriers and prohibited from prioritizing or discriminating lawful content on their networks.

Now, Ms. Sohn, you have a strong record of defending free speech and viewpoints from across the aisle. At the FCC, and as a public interest advocate for decades, you have continuously fought for the rights of both conservative and liberal voices.

Yes or no, do you commit to upholding and promoting the free speech rights of all Americans?

Ms. SOHN. Absolutely.

Senator LUJÁN. Can you reiterate for this committee some of the endorsements you have received from organizations across the spectrum?

Ms. SOHN. Sure. Organizations include Newsmax, the President of OAN. These are two of the most conservative cable networks on the planet, and I have received some blowback on the left from that.

Parents Television Council, which is a very conservative organization that fights to keep obscenity and indecency off broadcasting. I have support from Preston Padden, as we talked before, who is a former Fox News lobbyist.

Chad Rupe, Hilda Legg. Daniel Linville of West Virginia, who is as conservative as you can get. He is a West Virginia Legislator.

Senator LUJÁN. Ms. Sohn, I am going to interject. I didn't realize the list was so long.

[Laughter.]

Ms. SOHN. It is longer.

Senator LUJÁN. What I will ask is that you submit them into the record so that we have them for the record as well.

Ms. SOHN. Absolutely.

Senator LUJÁN. Now, Ms. Sohn, we have gone over 2 years without a full Commission at the FCC. The cost to the American public for this vacancy has been extreme. The FCC is charged with overseeing some of the most critical sectors of the American economy, media and communications.

These are massive industries that are also on the verge of receiving a historic amount of public funding from the Infrastructure Investment and Jobs Act. The FCC is the lawful regulator and enforcement agency for the Federal Government's effort to fight against robocalls and to ensure consumers have a voice on their side when they have an issue with their cable, cell, or broadband provider.

Every second we wait, to me, the worse it gets. Can you please discuss the cost this long-term vacancy has had on American consumers?

Ms. SOHN. Senator Luján, you actually mentioned some of them early on in your opening statement. One that really comes to mind is the fact that a \$200 million penalty against some wireless carriers who sold personal information to data brokers who then sold them to bounty hunters, and those bounty hunters find people that don't want to be found, including domestic violence victims.

They cannot vote that out because they don't have a third vote. I mean, this is, you know, this is a no brainer. Similarly, now, there have been now at least three major reports about carriers who lied, flat out lied, and admitted finally that they lied about where they provide service.

The FCC cannot do anything to try to deter that kind of conduct. The enforcement mechanism of the FCC when it comes to things like that really is almost shut down. But some of the other things they can't do are extend E-Rate funding to classrooms, fix or do anything with regard to the media ownership rules, fix the Universal Service Fund, which is something that a lot of people on this dais want to happen.

And of course, they can't reinstate the authority to oversee broadband and impose net neutrality rules.

Senator LUJÁN. I appreciate that. And in my opening, I failed to ask for unanimous consent to offer a sixth letter into the record, the Smear Campaign Against FCC Nominee Gigi Sohn, written by Preston Padden, who is the former President of ABC Television Network and a founding executive of Fox Broadcasting title.

So, I would ask unanimous consent to offer this into the record. And if there is no objection, it is allowed.

[The information referred to follows:]

2/14/23, 10:48 AM

The Smear Campaign Against FCC Nominee Gigi Sohn – A Letter To The Senate Commerce Committee

The Smear Campaign Against FCC Nominee Gigi Sohn – A Letter To The Senate Commerce Committee



Preston Padden

Boulder Thinking, LLC

<https://boulderpreston.com/2023/01/30/the-smear-campaign-against-fcc-nominee-gigi-sohn-a-letter-to-the-senate-commerce-committee/>

1/3

2/14/23, 10:48 AM The Smear Campaign Against FCC Nominee Gigi Sohn – A Letter To The Senate Commerce Committee

2389 Indian Peaks Trail

Lafayette, CO 80026

January 30, 2023

Senate Committee on Commerce, Science and Transportation

Russell Senate Office Building

Washington, D.C. 20510-0411

Via E-Mail to Committee Staff

Chair Cantwell, Ranking Member Cruz and Members of the Committee:

I respectfully request that this letter be included in the record of the hearing that will be held on the nomination of Gigi Sohn to be a Commissioner of the Federal Communications Commission. Ms. Sohn's politics are to the left of mine, but she is a superbly qualified and experienced nominee who should be confirmed as soon as possible.

I have the greatest respect for this Committee and its Members before whom I have testified many times as President of the ABC Television Network, a founding executive of the Fox Broadcasting Company and as the head of Government Relations for both News Corporation/Fox (Murdoch) and The Walt Disney Company. I fear that this esteemed Committee, like Ms. Sohn, is in danger of falling victim to the worst, and most cynical and baseless smear campaign ever waged against a nominee to serve on the FCC. Ms. Sohn's only sin is that she roots for the underdog and for consumers. As a result, some of the dominant Cable TV companies and Internet Service Providers have stooped to lows never before seen to smear Ms. Sohn. They correctly fear that she would be a vote to require them to compete fairly and to respect consumers.

Ms. Sohn's opponents have planted article after article alleging that she is against Native Americans, against Hispanics, against rural communities, against police and that she is connected with illicit sex workers. It's all rubbish! A total of 375 organizations, companies, elected officials and local governments, including numerous Tribes, Hispanic organizations and public safety officials have voiced their support for Ms. Sohn's nomination!

The press stories ginned up by Ms. Sohn's opponents are beneath scurrilous and are beneath the dignity of this Committee. For example, one Daily Mail online story (not a Murdoch publication) began with a picture of Ms. Sohn juxtaposed next to a salacious picture of a sex worker with whom Ms. Sohn has absolutely no connection. This is "Tabloid Trash" at its worst, all brought to you, I believe, by agents of some of the country's biggest Cable Companies and ISP's.

I worked for Rupert Murdoch for seven years and secured for him waivers of FCC Rules that stood in the way of the launch of Fox Broadcasting Company – the long sought fourth free-over-the-air TV Network. Recently Mr. Murdoch sent me a note that expressed misgivings about Ms. Sohn's nomination. I replied by reminding him (actually, he may never have known) that because Ms. Sohn fights for underdogs (which Fox certainly was in its early days), and because she saw the pro-consumer benefits of a fourth network, she was very helpful to our efforts to fend off fierce lobbying attacks from the three established networks and to secure the waivers that we needed. And I advised him that Ms.

2/14/23, 10:48 AM

The Smear Campaign Against FCC Nominee Gigi Sohn – A Letter To The Senate Commerce Committee

Sohn's interest in requiring dominant Cable and ISP "pipe" companies to play fairly could be helpful to a company like his that has important content assets, but no bottleneck "pipes". Mr. Murdoch responded that he stood corrected in his view of Ms. Sohn.

Respectfully Submitted,

Preston Padden

Boulder Thinking, LLC

2389 Indian Peaks Trail

Lafayette, CO 80026

202-329-4750

Ppadden@mac.com

Posted on [January 30, 2023](#) by [boulderpreston](#)

7 thoughts on “The Smear Campaign Against FCC Nominee Gigi Sohn – A Letter To The Senate Commerce Committee”

1. Pingback: [Republicans use OnlyFans to try and sink Gigi Sohn's FCC nomination - Nogagames](#)
2. Pingback: [Gigi Sohn is Facing a New Onslaught of Attacks From Republicans - Tips Loves](#)
3. Pingback: [Smear campaign targets nominee who would be FCC's first openly gay commissioner - BestApk - USA Trending News](#)
4. Pingback: [Smear campaign targets nominee who would be FCC's first openly gay commissioner - Today Passive Income - Passive Income Today](#)
5. Pingback: [Smear campaign targets nominee who would be FCC's first openly gay commissioner - ICT-BD-NEWS](#)
6. Pingback: [Smear campaign targets nominee who would be FCC's first openly gay commissioner - The Times of Bengal](#)
7. Pingback: [Smear campaign targets nominee who would be FCC's first openly gay commissioner - Breaking News](#)

[Blog at WordPress.com.](#)

<https://boulderpreston.com/2023/01/30/the-smear-campaign-against-fcc-nominee-gigi-sohn-a-letter-to-the-senate-commerce-committee/>

3/3

Senator LUJÁN. With that, I will call on our next Senator, Senator Vance.

STATEMENT OF HON. J. D. VANCE, U.S. SENATOR FROM OHIO

Senator VANCE. All right. Senator Luján, thank you, Mr. Chairman. And, Ms. Sohn, thank you for coming before us today. So, I want to take my line of questioning a slightly different direction from some of the other folks.

And I think just to be directly, Ms. Sohn, there are actually areas of substantive agreement between the two of us on some of these

issues. But I also notice that you are a participant in what I would call this weird racialization of American political rhetoric in the last few years.

And in particular, I think coming out of a desire to give equal opportunity and fairness to every American, regardless of skin color, that is, of course, a very good thing, there has been this weird trend in certain corners of American politics to be very, very racialized and even to criticize explicit racial groups almost as a pejorative.

And you, unfortunately, have participated in that. And I want to ask just a couple of questions on that. Before I do, I want to illustrate this by pointing out something that is going on in my state.

We have a very, very bad train crash in East Palestine, Ohio. It has caused a terrible chemical spill. Likely environmental consequences as far as the eye can see. And of course, we are doing as much as we can to help constituents on the ground.

But I note that Secretary of Transportation Pete Buttigieg yesterday when he made some public remarks, instead of commenting on this or talking about the issue or giving any reason to think that he is focused on one of the major transportation mishaps in this country over the last couple of years, he decided to instead focus on the terrible scourge of too many white men in the construction industry.

And I find that preposterous, both on its own face, but also as a focus from the Secretary of Transportation. So, I want to read you a tweet with that backdrop in mind. And I quote, "President Obama is a raggedy black supremacist President and his cowardly enablers would rather kill everybody than stop killing white people."

Do you think a person who said that should be appointed or confirmed to the FCC?

Ms. SOHN. Could you re-read? I didn't quite get that. Could you just re-read that? Would you mind?

Senator VANCE. "President Obama is a raggedy black supremacist President, and his cowardly enablers would rather kill everybody than stop killing white people." Do you think a person, yes or no, who says that should be appointed to the FCC?

Ms. SOHN. I would need to know more of the context, honestly.

Senator VANCE. OK. Well, I think clearly a person who said that should not be appointed to the FCC. And in fact, you retweeted the exact same thing only with President Trump instead of President Obama and the races reversed.

Let me read another tweet and let me ask you if this is an acceptable thing for an FCC Commissioner. "Angry black woman, not a good look, Judge Brown Jackson." Would a person who tweeted that pejoratively be deserving of the position that you are seeking?

Ms. SOHN. I think it has nothing to do with the position that they are seeking. So, not necessarily.

Senator VANCE. So, I think that is—

Ms. SOHN. I know I tweeted something about Judge Kavanaugh, right.

Senator VANCE. I think that is preposterous. Come on. You tweeted at Judge Kavanaugh, "angry white man, not a good look, Judge Kavanaugh." And I here is why I think that it is relevant.

We live in a country that is very diverse, people come from very different backgrounds. And one of the things that preserves what little racial comity and harmony we have in this country is that our leaders don't use that racial comity and harmony like a toddler who discovered their daddy's gun.

You talk about racial issues in a way that will inflame the very worst things in our country, and I fear that if you are given this position of authority, you will use that authority to continue to inflame and to continue potentially even to censor based on some of these ideas. Now, I have just illustrated a couple of ways that we talk about these issues or some of our leaders talk about these issues.

I hope that I never do. And if I do, I hope my constituents will hold me to account for it. But one of the things that I fear here is that you are being appointed to a position with an incredible amount of control over the way that we communicate with each other, the way that we debate with each other, the way that our politics actually manifests itself in the public debate.

And I guess I would ask you, do you think those comments are a good thing for the American people to hear, given how much power you will have if you get confirmed?

Ms. SOHN. Senator, I made those comments in my role as either a private citizen or a public advocate, and they will have absolutely no bearing on how I would act as an FCC Commissioner.

Senator VANCE. Ms. Sohn, I appreciate that, but they reveal something about how you see the world, how you think about the world, and how you feel about the world.

So, I understand and respect that you made them in your capacity as a private citizen, but they are reflective of a person who will have a lot of power if the Senate confirms your nomination.

And this is why I am going to oppose your nomination despite some areas of substantive agreement. Thank you, Ms. Sohn.

Ms. SOHN. Senator, if I could just say, I can't just walk into the FCC and say, OK, Gigi Sohn wants all these things to happen and they will happen.

First of all, I am not going to be the Chair and let's put that one on the table and put that to bed because that is the latest K Street rumor, right, that the White House wants to make me the Chair. That is false. As FCC Commissioner, you have to follow the law. You have to follow the Administrative Procedure Act.

There is a procedure before you. You have to follow the record. You have to meet with stakeholders. You can't just willy nilly make a decision based on what your predilections are. And if I were to do that, well, first of all, I would have to get two other votes, which would be unlikely.

But if that were to happen, a court could reverse it because you have to follow process. And I think it is really important for people who think that I am some sort of Svengali who could just walk into the FCC and make it bend to my will, that I can't do that under the law.

Senator VANCE. OK. Ms. Sohn, look, I appreciate that, and I appreciate that we have a Constitution, and we have certain procedures we have to follow. Of course, I am one of 100 Senators and

I can't walk into this body and make things exactly as I want them.

The point is not that you will have complete power over the FCC. The point is that we live in a country that is undergoing a series of very toxic movements in the way that we talk about one another.

And I think in particular, the racial dialog, the racial rhetoric that you have used is disqualifying, whether you have a lot of power or a little power. I don't think it is what we need in our public administrators. I yield the rest of my time. Thank you, Mr. Chairman.

Senator LUJÁN. Thank you, Senator. Next, we will hear from Senator Rosen. Senator Rosen.

**STATEMENT OF HON. JACKY ROSEN,
U.S. SENATOR FROM NEVADA**

Senator ROSEN. Well, thank you, Senator Luján. Appreciate you recognizing me, and I really appreciate today's hearing. But before I begin my questions, I would like to echo concerns raised about the nominee's positions on matters of importance for law enforcement, both nationally and in Nevada.

Law enforcement groups have expressed serious concerns about Ms. Sohn's membership on the board of a digital privacy organization that has strongly advocated against law enforcement access to digital evidence needed to hold criminals accountable and to protect the public.

Also of concern to law enforcement are allegations that the nominee has expressed support for movements aligned with defunding the police, or at the very least, defunding police surveillance tools, again, needed to keep our communities safe.

These are questions that have already been raised by other members of the Committee today, so I am not going to elaborate further, but I will note that such concerns by law enforcement do give me pause. I would like to use my time today to touch on an issue of critical importance to Nevadans, rural access to broadband.

And so, we want to close that digital divide, particularly in our rural frontier communities. And Nevada's goal of bringing affordable, reliable broadband across the state by 2029 is essential, absolutely essential to supporting our state's needs. As we saw during the pandemic, broadband is critical when connecting to school, to work, health care, to our friends, to our family.

And now, more than ever, we must make sure that Americans have access to reliable and affordable broadband. That is why I am proud to have led many efforts on this subject, like my Middle Mile Broadband Deployment Act, which was included in the bipartisan infrastructure law and will help our communities get better connected.

So, Ms. Sohn, as you know, mountains, deserts, valleys, we have it all. We have challenging terrain in Nevada, and it often separates rural and tribal areas from other communities with more broadband access.

So, if confirmed, how will you address these challenges to close the digital divide by bringing high quality and affordable broadband to all Americans no matter where they live, even in these remote rural communities?

Ms. SOHN. Thank you, Senator Rosen. And I hope you will give me an opportunity to address the law enforcement issue, because I think it is critically important and I think my positions have been grossly misstated.

And my position on the EFF board also grossly misstated. So, I hope you will give me that opportunity with a meeting this hearing to talk about that, because it is really important that we get the record straight.

But let me address your main question, because as you may know, I have had several conversations with Brian Mitchell, who is the head of the broadband office in Nevada, and we have talked at length about the concerns that Brian has in particular and the state has with the maps.

I have seen your letter with Senator Cortez Masto expressing concern about the maps. And I really, really would love the opportunity to be at the FCC to try to make that map as good as possible before NTIA has to allocate its money on June 30.

So, to me, there's nothing more important right now than getting that money spent wisely and getting those maps right.

Senator ROSEN. Well, thank you. We really appreciate that. I am just going to, really quickly, I just have a minute left and I know we are in the middle of a vote, but I just want to talk about connecting small businesses because 99 percent of businesses in Nevada are small businesses, and we are on the forefront of emerging technologies, electric vehicles, blockchain, autonomous vehicles, lithium batteries.

We are just doing it all. And as these enterprises continue to make significant investments in my state, we need to be sure that small businesses have the support of these innovative companies, the suppliers, contractors, the vendors, all the way, that they have the digital tools and the broadband access they need.

And so I know I just have a few seconds left, so I just want to say how—you said you are speaking with Nevada and others, how should the FCC work with Federal agencies, including our economic development agency and our Small Business Administration, to be sure that small businesses like those up and down my state are participating in the Internet connected economy and have good access?

Ms. SOHN. Yes. I think it is critical that the FCC work with any and all agencies, coordinate with those agencies, whether it be the Department of Agriculture, the Small Business Administration, or the Department of Commerce.

Those relationships are critically important to make sure that everybody gets connected, and to make sure that we are not duplicating efforts. I think that is also very important. There is concern, frankly, from a lot of Republicans and conservatives about the fact that there are so many different agencies that have some sort of stake in broadband that we may be duplicating efforts.

And I think it is incumbent on the leadership of those agencies to get together quite often to make sure that that is not happening.

Senator ROSEN. Well, thank you. I look forward to seeing streamlining in so many of our agencies to get the job done for our constituents. I see my time is up. Thank you.

Senator LUJÁN. Thank you, Senator Rosen. Senator Blackburn.

**STATEMENT OF HON. MARSHA BLACKBURN,
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. Thank you, Mr. Chairman. Ms. Sohn, thank you for your time yesterday, and thank you for being with us again. A couple of things I want to discuss that I didn't get to yesterday. In your past careers, you have made it your job to go after certain companies in the telecom industry, and you have particularly been harsh with Internet service providers.

And in 2019, you tweeted, and I am quoting the tweet, "big tech companies are under enormous scrutiny while big telecom and cable deregulated and consolidated. What is missing is the enormous amount of money big telecom and cable are spending to ensure that the focus stays on tech and not them."

Even in your testimony that you submitted to us, you suggest that regulated entities are the ones making false and misleading attacks, and I am quoting you there, on your record because they fear you, your choice of terms.

So how can we believe you will be impartial if an issue involving any of these companies comes before you as a Commissioner?

Ms. SOHN. Yes, first, I would say that every single industry player who I have criticized, I have also worked with. And not long before I got nominated, I worked closely with Verizon and Comcast and AT&T to get the emergency broadband benefit, to get a letter together to support the emergency broadband benefit.

So, I have worked with these companies. And as I said to Senator Vance, a proceeding at the FCC is constrained. You have to follow the record, decide based on the record, using the procedures outlined in the Administrative Procedure Act—

Senator BLACKBURN. Yes. Let me ask you about that and where you are going with that response. And I saw your response to Senator Vance.

So, if you are leaning into this component, that your background, as you say in your testimony, your background as an advocate, your choice of words there, and you suggest that that is what makes you a good Commissioner. That is going to help make you a good Commissioner.

If being an advocate is what positions you to do this job, then why should we think you would act differently in this job when you were a Commissioner?

Ms. SOHN. I know that the role of a policymaker is different than the role of an advocate. And just let me also say, I really only asked to be treated like other nominees for the FCC.

We have had nominees for the FCC, including my former boss, who worked for two industries. And he was a very, very fervent advocate for his industries. Chairman Pai worked for Verizon, and I am sure he was a very fervent advocate for Verizon.

So, I am going to just ask to be treated the same way, Senator.

Senator BLACKBURN. OK. Let's look at it a different way. You were named a top lobbyist by the Hill in 2012 and 2013. So, do you consider yourself a lobbyist or do you consider yourself an advocate?

Ms. SOHN. I haven't been registered as a lobbyist for years, and that just—if I was registered as a lobbyist, it was very briefly. But

when I ran Public Knowledge, I stopped going to the Hill, so it didn't make any sense.

And that Hill lobbyists, best lobbyists doesn't mean that you are registered as a lobbyist, it just means you are a good advocate. So, I was very proud of that distinction.

Senator BLACKBURN. OK. All right. I checked on the number of filings that you signed your name to at the FCC. And filings and proceedings, it was nearly 150 that you had signed your name to. You said you will voluntarily recuse yourself from some broadcast issues if confirmed.

However, you also participated in proceedings on many other topics, ranging from net neutrality to universal service and intra-carrier compensation.

Once again, as we look at this, whether the work is as an advocate or a lobbyist, or a term you have discounted, activist, should you be recusing yourself from all of this variety of issues that are going to come about, issues you have previously signed your name to filings and proceedings.

Would you be recusing yourself from all of those?

Ms. SOHN. Yes, Senator. I addressed this quite at length in the February 9th hearing, and I will just repeat myself. My voluntary recusal was an attempt to address the concerns, and we heard them again today, that people had over my participation on the Sports Fan Coalition New York Board, which ran Locast.

So, I voluntarily recused myself at the nexus of the work I had done previously at the FCC—not at the FCC, as an advocate working at the FCC, and the Locast board. So that is why I voluntarily recused, to address those specific concerns.

What you are asking for is not tethered to anything other than just every single issue out there. And again, I just want to be treated the same—

Senator BLACKBURN. No, I would disagree with that. These are tethered to statements you have agreed with and filings that you have signed your name to. So, it is relevant. I see my time is over, but this does have an impact. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Senator Baldwin.

**STATEMENT OF HON. TAMMY BALDWIN,
U.S. SENATOR FROM WISCONSIN**

Senator BALDWIN. Thank you, Madam Chair. Thank you for appearing again in front of the Commerce Committee. Your perseverance is admirable, and particularly in light of the attacks that have been made against your character. It was clear after your first hearing that you are qualified to serve as a Commissioner of the FCC.

It was also clear after your second hearing that you are well qualified to serve as Commissioner of the FCC, and I am every bit as confident that it will be as clear by the end of the day today, at your third hearing, that you are qualified and ready to serve for the FCC.

People across my state look forward to your confirmation and to the FCC having a full complement of Commissioners to tackle truly important issues, including rural broadband deployment, support for local news and television, and advancing digital equity.

Last time you appeared before this committee, I noted the historic nature of your nomination and how important it was for the country to see LGBTQ people, whether they are Senators or soon to be FCC Commissioners, in prominent roles while being their true selves.

Like I said, then, being first is not always easy, but millions of people across the country, including myself, are grateful for you continuing to pave the way for LGBTQ people who want to serve their country.

Ms. SOHN. Thank you.

Senator BALDWIN. I want to turn to a couple of questions here on specific matters. I was honored to lead the National Suicide—the bipartisan National Suicide Hotline Designation Act, which transitioned the National Suicide Prevention Lifeline into an easy to remember three-digit code, 9–8–8, to better serve people in crisis situations.

I was disturbed to learn recently that there was a nearly daylong outage of the 9–8–8 hotline back in December and that it was a result of a cyberattack.

While FCC has since proposed regulations to bring 9–8–8 outage reporting requirements in line with 9–1–1 outage reporting requirements, I am concerned that the 9–8–8 lifeline remains vulnerable to cyber-attacks or will, which would prevent people in crisis from getting the help they need.

What more can the FCC or Congress do to improve the resiliency of 9–8–8 and 9–1–1 services?

Ms. SOHN. Yes, thank you, Senator. I have always thought that the FCC should play a larger role in ensuring that our networks are secure and resilient. The Chairwoman has done some good work with regard to mobile networks, but I think we need to do more, and I think the FCC needs to have a more active role, and if Congress would like to give it a more active role, that would be great, to oversee the cybersecurity practices of ISPs.

Senator BALDWIN. OK. I believe that there's tremendous value in consumers having access to relevant local news and programing. In a world in which we can increasingly seek out our sources that simply tell us what we want to hear, local media can provide timely, trustworthy information that helps Wisconsinites and others connect with their communities and neighbors.

That is why Senator Markey and I last week introduced or reintroduced the Protecting Community Television Act to support funding for public education and Government or PEG channels.

Thousands of Wisconsinites rely on these channels to get news and other programing rooted in their own communities, and in-kind contributions play an important role in those services.

Ms. Sohn, from your experience as a consumer advocate, do you agree that local media is important, including for improving our national discourse? And if confirmed to the Commission, what could the FCC do to better support these PEG channels?

Ms. SOHN. Yes, that is a great question. Look, I believe that local media, whether it be broadcasting or PEG channels, are really sort of the bulwark against some of the partisanship that we have been talking about today.

And I will even admit that some of my tweets have been sharp and I have admitted before. You know, this country has changed a lot since 2016, let's just face it. I did not like the FCC's decision to include in-kind contributions as part of the 5 percent of the cable fee, and I would support it if the Chairwoman were to start a proceeding to reverse that.

If the record showed that that was a thing to do, my inclination would be to, you know, to reverse that decision, because I think it is important—it is amazing how many people watch PEG. You don't think it, right.

You see it and you see these basic, you know, these very basic channels with basic entertainment but people watch it, so it is critically important because people do want to know what is going on in their community. And I think the FCC is tasked by law to promote that.

Senator BALDWIN. Thank you.

The CHAIR. Thank you. Senator Budd.

**STATEMENT OF HON. TED BUDD,
U.S. SENATOR FROM NORTH CAROLINA**

Senator BUDD. I thank the Chair. Ms. Sohn, welcome back to the Committee. Good to see you. Enjoyed our conversation last week. So, my constituents in North Carolina, they support law enforcement and they want safer communities. Many live, work, and raise their families in those rural communities.

Bridging the digital divide and getting access to every American has long been a bipartisan interest and an important job for the FCC. In written congressional testimony, you claim that "policy-makers have focused disproportionately on broadband deployment in rural areas."

Residents of North Carolina know that improving Internet access in rural areas keeps these smaller communities thriving. We need an FCC that is focused on bridging the digital divide in North Carolina and prioritizing the economic and educational benefits of better broadband.

It is also concerning that law enforcement groups like the National Sheriffs Association and the Fraternal Order of Police oppose your nomination. You are listed as a board member of the Electronic Frontier Foundation, EFF.

And since your nomination, you have tried to minimize the significance of your board seat, but being a board member is no small thing. EFF has called you a close collaborator for nearly 20 years. You have donated to them and made public calls for others to donate to EFF.

In a letter to this committee, the Fraternal Order of Police stated that you have an anti-police bias and refused to disavow many extreme positions from EFF.

In the summer of 2020 as rioters burned businesses across the country, EFF encouraged folks to go to the streets, even publishing a memo on how to thwart law enforcement investigations, suggesting people buy a pre-paid disposable phone and dress for anonymity.

Chair, I would like to submit this to the record.

The CHAIR. Without objection.

[The information referred to follows:]

2/15/23, 5:47 PM Attending a Protest | Surveillance Self-Defense
SSD.EFF.ORG 



SURVEILLANCE SELF-DEFENSE

[<< FURTHER LEARNING](#)

Attending a Protest

Last Reviewed: June 01, 2020

For quick reference, we've created a handy guide designed to be printed, folded, and carried in your pocket (PDF download).

Now, more than ever, citizens must be able to hold those in power accountable and inspire others through the act of protest.

Protecting your electronic devices and digital assets ⓘ before, during, and after a protest is vital to keeping yourself and your information safe, as well as getting your message out. Theft, damage, confiscation, or forced deletion of media can disrupt your ability to publish your experiences. At the same time, those engaging in protest may be subject to search or arrest, or have their movements and associations mapped. They could become targets of surveillance and repression.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

There are risks associated with attending a protest, and taking steps to mitigate them can go a long way in ensuring you—and the data  you value—are kept safe. This guide outlines steps you can take before, during, and after a protest that will help maximize your effectiveness and keep yourself and your data more secure.

Remember that these tips are general suggestions for better data security and do not constitute legal advice or counseling. If you have specific legal concerns, seek the advice of a licensed attorney.

Before the Protest

Enable full-disk encryption on your device

Full-disk [encryption](#)  ensures that the files across your entire device are encrypted. This is a form of encryption that protects data at rest—not to be confused with “in-transit encryption,” which protects data that is transferred over the Internet. Full-disk encryption can help protect everything from your local database of text messages to the passwords stored in your browser. If your device is confiscated by police, or if it is lost or stolen, full-disk encryption can help protect the data stored on your device. Protest situations are often unpredictable, so losing your phone is a distinct possibility.

[Android](#) and [iOS](#) have long required full-disk encryption capabilities to be built into devices. These should be protected by a strong [password](#)  8-12 random characters that are easy to remember and type in when you unlock your device. If devices are not protected by a strong password, the encryption may be easier to break using a [brute-force attack](#). The [iPhone 5s and later](#) have specialized hardware to protect against this type of [attack](#) , but a complex, strong password is still the best practice.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

It is important to note that encrypting your device will likely not [encrypt](#) external storage media such as SD or flash memory cards. You have to encrypt these separately, and may not be able to encrypt them at all. You might want to investigate where files are stored on your device using a file browsing app, or remove external storage media from your device altogether.

In addition, many digital cameras lack the ability to encrypt. It is safe to assume that photos and videos taken with digital cameras will be stored unencrypted, unless explicitly stated otherwise.

Remove fingerprint unlock and FaceID

Today, both iOS and Android allow users to unlock (and [decrypt](#)) their devices with their [fingerprint](#), and the iPhone X's FaceID allows users to do the same with facial recognition. While these settings may seem appealing as convenient ways to enjoy the benefits of full-disk encryption, enabling them means an officer could physically force you to unlock your device with your fingerprint or face. In protest situations in particular—or in any other situation in which you may be more likely to encounter a government demand to search your phone (such as at a border crossing)—we suggest you *turn this functionality off*.

In the U.S., using a biometric—like your face scan or fingerprint—to unlock your phone may compromise protections for the contents of your phone afforded to you under the Fifth Amendment privilege against compelled incrimination. A police officer may try to intimidate you into “consenting” to unlock your phone, whether you use a biometric or a memorized passcode. But if you exercise your right to refuse and biometric unlocking functionality is turned on, an officer may physically force you to biometrically unlock your device. Under current U.S. law—which is still in flux—using a memorized passcode generally provides a stronger legal footing to push back in court against compelled device unlocking/decryption. While EFF continues to fight against attempts by law enforcement to compel people to decrypt their devices, there is currently less

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

protection against compelled face and fingerprint unlocking than there is against compelled password disclosure.

- In iOS, you can disable this by going into Settings -> Touch ID & Passcode (or Settings -> Face ID & Passcode, depending on your iPhone version) and removing each of the fingerprints, or tapping Reset Face ID in this menu.
- In Android, disabling this feature may depend on your device manufacturer. For Pixel devices, go into Settings -> Security -> Pixel Imprint and delete the fingerprints from this menu.

Install Signal

Signal is an app available on both iOS and Android that offers strong encryption to protect both text messages and voice calls. This type of protection is called end-to-end encryption ⓘ, which secures your communications in transit.

In addition to encrypting one-to-one communication, Signal enables encrypted group chats. The app also recently added the functionality of having messages disappear anywhere from 10 seconds to a week after they are first read. In contrast to some other services like SnapChat, these ephemeral messages will never be stored on any server, and are removed from your device after disappearing.

In 2016, a grand jury in the Eastern District of Virginia issued a subpoena to Open Whisper Systems, the developers of Signal. Because of the architecture of Signal, which limits the user metadata ⓘ stored on the company's servers, the only data they were able to provide was "the date and time a user registered with Signal and the last date of a user's connectivity to the Signal service."

In the context of a protest, you might send relevant photos and videos to friends who are remote using Signal, so that if your phone is confiscated you have a way to retrieve the media later.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

Back up your data

Take precautions to limit the potential costs of losing access to your device, whether it's lost, stolen or confiscated by law enforcement. Back up your data regularly and store that backup in a safe place to save yourself from a headache later on.

Buy a prepaid, disposable phone

In the United States, federal regulation does not require you to show your ID to purchase a prepaid [SIM card](#) (but your state might). Most countries require you to provide a form of ID to purchase a prepaid SIM card, thus linking the card to your identity and removing the possibility of anonymity.

If you're concerned about protecting the data stored on your device, don't bring it to the protest. Instead, purchase a [prepaid mobile phone](#). These devices can be purchased along with a SIM card at most large retail stores. Let your friends know your temporary number, and use this to coordinate activities. Remember that the location of mobile devices can be determined by the cell towers they connect to. So, if you don't want your identity and location known, turn off your prepaid device before going home or anywhere that might reveal your identity. Using GPS should be safe, since GPS is a receiver and does not transmit any information. However, keep in mind that your device may store your coordinates. For this reason, we suggest you [turn off location services](#) before you travel to the protest, and leave it off until you return. Turning off location services may make it difficult to navigate if you are not familiar with the route to and from the protest. You may want to download a local copy of the area map you will be traveling in.

When you're done with the phone, it can be safely recycled or discarded from a location that is not linked to you. Keep in mind that if you carry both your regular device and a prepaid one with you, the location of these devices can be correlated and compromise your anonymity.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

Dressing for anonymity and safety

Many law enforcement agencies have access to sophisticated surveillance technology that can be used to identify people attending a protest. To protect yourself, it's important to dress in ways that preserve your anonymity and protect your physical safety.

Wear nondescript clothing

Wearing the same clothing as everyone in your group can help hide your identity during the protest and keep you from being identified and tracked afterwards. This not only helps preserve your anonymity, but also protects your fellow protestors from being identified and surveilled as well. Dressing in dark, monochrome colors will help you blend into a crowd. Be aware that you may not be as visible to cars in the dark, and should take extra precaution when crossing streets or walking near moving vehicles.

If you are able, bring a change of clothes for after the protest is over. You may be exposed to irritants such as pepper spray or tear gas during the protest, and it's wise to change into clothing that won't cause discomfort or harm on your return journey.

Cover identifying features

If you have visible tattoos or bright unconventional hair colors, cover them up. Tattoos can be used to identify you later, and may be added to databases for tattoo recognition. Dark monochrome hats, scarves, gloves, long sleeves, and full-length clothing will help cover these identifying features so you blend more easily into a crowd.

Wear protective equipment

Wear a mask! It will help protect you from airborne illnesses, face recognition technologies, and being identified in photos of the protest after it ends. Goggles are also useful for keeping your eyes safe from projectiles or irritants, and tinted ones may be useful for circumventing face recognition systems (but

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

this strategy is not foolproof). Gloves will help protect your hands from irritants and contact with infectious diseases. If you are able to use medical gloves, use nitrile instead of latex gloves, as some people have latex allergies. Note that gloves will interfere with some phone functions. We also recommend wearing sturdy shoes that are comfortable to move around in for extended periods of time.

During the Protest

Take photos and videos without unlocking your device

Catching that perfect image is something you want to be ready for, and powerful images can help support your cause. If you've chosen a strong password, entering it into the device takes precious time, and you [risk](#) the moment passing before you're able to take the picture. Luckily, iOS and Android allow you to take photos and videos without unlocking your device.

- With Android Pixel devices, double-press the power button.
- At the iOS lock screen, you can firmly press on the camera icon. Older iOS devices require you to swipe.

Be mindful of other protestors in your photos and videos

If you are taking photos or videos of people at the protest, be mindful of what you post. If you post photos online where protestors or bystanders' faces are identifiable, law enforcement or vigilantes might track them down and arrest or harass them. Consider obscuring the faces of anyone who has their eyes or mouth visible. You can edit photos in the default Android or iOS photo editing apps. Be sure to black out or blur other identifying features as well such as tattoos or unique clothing (blurring can sometimes be reversed so blacking out is better if you have the option). On Android, consider using the [ObscuraCam](#) app by The Guardian Project to edit photos, which will automatically blur faces.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

There is also a useful tool called [Image Scrubber](#) that can be used on any mobile device, including iOS or your PC.

Scrub metadata on photos

Once you are ready to post your photos, it's a [good idea to scrub the metadata](#) contained in the image files if you don't want to leak personally identifying information. Metadata on photos can include information such as the model of camera the photo was taken on, the exact time and location where the photo was taken, and even your name.

- Option 1: Remove any original photo metadata by transferring the photo onto a desktop computer, taking a screenshot of the image, and posting the screenshot instead of the original photo.
- Option 2: You can also take a screenshot of the photo on your mobile device to remove the metadata, but the image quality may not be as high. You can then post that screenshot instead of the original photo.
- Option 3: Send yourself a copy of the photo via the Signal app (which strips metadata when sending images), then download the sent image for posting.

Things to be aware of while traveling to and from the protest

Driving considerations

Automated License Plate Reader Systems (ALPRs) automatically record the license plates of cars driving through an area, along with the exact time, date, and location they were encountered. This technology is often used by law enforcement in the United States and many other countries, or employed by private companies such as [Vigilant](#) and [MVTrac](#) who then share license plate data with law enforcement and other entities. Amassed in huge databases, this data is retained for lengthy periods of time. These companies have lobbied and [litigated](#) vigorously against statutes that would ban the private collection of license plate data or otherwise regulate ALPRs. Essentially, your location can be tracked over time based on the driving history of any car registered to you, with

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

very few legal limits in place as to how this data can be collected, accessed, shared, and retained.

Read more in our [Street Level Surveillance guide on ALPRs](#).

Public transit considerations

Be careful when traveling to and from the protest location. If you're using payment methods or transit cards that are linked to you, law enforcement may be able to determine you attended the protest and track your movements. Consider using alternative means of public transportation if you would prefer that your movements and associations remain private.

If you are able, consider biking or walking to and from the protest to minimize exposure to these types of surveillance risks.

Enable airplane mode

Airplane mode ensures that your device will not be transmitting for the duration of your time at the protest, and prevents some (though *possibly not all*) of your location signals from being tracked. Unfortunately, this also means that you won't be able to message or call your friends, so plan accordingly. Before going to the protest, agree on a spot where you and your friends can meet if you get separated. As mentioned earlier in this guide, you may also want to turn off location services before you travel to the protest, and leave it off until you return.

Some apps allow you to navigate without having network access. Since GPS is a receive-only system, you can selectively turn GPS on after enabling airplane mode. Be sure to download a map of the area of the protest beforehand.

If you are arrested in the United States

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

If you are detained and questioned by police, you have a right to remain silent, and to speak with an attorney before and during any questioning. It is best to say "I want my attorney and I choose to remain silent" and then refuse to answer questions until you have a chance to talk to a lawyer.

If you answer questions, be sure to tell the truth. It is a crime to lie to a police officer and you may find yourself in more trouble for lying to law enforcement than for whatever it was they wanted to talk to you about in the first place.

If the police ask to see your phone, you can tell them that you do *not* consent to a search of your device. They might respond by seizing your phone and trying to search it later, but at least it will be clear that you did not give them permission to do so.

If the police ask for the password to unlock your electronic device (or ask you to unlock it directly), you can refuse. You may suffer adverse consequences at the hands of law enforcement—from having your phone seized to being booked into custody—for refusing to provide your password or biometric key^⑦. Every arrest situation is different, however, and you will need to consider your own threat model^⑧.

After the Protest

What to do if your device is confiscated

If your device has been confiscated, you may have legal recourse to get it back. In the U.S., your attorney can file a motion for the return of your property if it is not being held as evidence in a pending case. If the police believe that evidence of a crime was found on your electronic device, including in your photos or videos, then the police can keep it as evidence. They may also attempt to end your ownership of your electronic device, but you can challenge such asset forfeiture in court.

2/15/23, 5:47 PM

Attending a Protest | Surveillance Self-Defense

You can also revoke access for some services that are logged in on your device. For instance, on Twitter if you go to Settings and privacy -> Apps and devices, you can revoke access for devices that have permission to connect to your Twitter account. For other services, simply changing your password or passphrase [①](#) will prompt the app to log out. But beware that revoking law enforcement access may expose you to the risk of being charged with obstruction of justice or the destruction of evidence. You should always speak to your attorney first before deciding how to proceed. Online services may provide logs of recent log-ins for your account. If you are worried your device is being used to access accounts without your consent, it might be useful for you to see if such logs are available and monitor them. If law enforcement confiscates your device, they may use a "forensic" tool such as "Cellebrite" to try to extract data from your device, such as images, contacts, messages, and location history. This is more likely to be successful if your phone is older or unencrypted. For this reason, it's important to carry the bare minimum of data with you, and use the strongest level of encryption, when going into a risky situation like a protest.



SURVEILLANCE SELF-DEFENSE

[ABOUT](#) [INDEX](#) [GLOSSARY](#) [CREDITS](#)

<https://ssd.eff.org/module/attending-protest>

11/12

Senator BUDD. Thank you. Now, the FCC and law enforcement, they work together a lot, as we know. And as you know, the FCC makes sure that law enforcement alerts are delivered over communications networks and that those networks can comply with court orders to aid in law enforcement investigations.

Your deep association with anti-law enforcement views of the EFF leads me to believe that your confirmation would, as the Fraternal Order of Police wrote, "show a complete disregard for the hardworking men and women of law enforcement." Ms. Sohn, you have taken to social media to express your anti-police bias.

For example, you have retweeted and liked statements supporting defund the police. You have also retweeted a statement referring to Federal law enforcement officers responding to riots in 2020 as, “armed goons in riot gear with tear gas,” as Senator Cruz mentioned in his opening remarks.

Ms. SOHN, given your demonstrated anti-police bias, do you understand why law enforcement officers don’t trust you to look out for their best interests, especially if you helped lead an agency that is a critical partner of law enforcement, yes or no? Just simply, simply yes or no, please.

Ms. SOHN. Could you repeat the question, because I kind of lost—

Senator BUDD. Yes. The question is really based on your understanding of why law enforcement is concerned. I mean, do you understand why law enforcement has concern, yes or no?

Ms. SOHN. No, I don’t.

Senator BUDD. You actually don’t. OK, so that is actually telling—

Ms. SOHN. I am very surprised.

Senator BUDD. Thank you. I do want to reclaim my time here. So, I mean, it is obvious why they would be concerned with these tweets and retweets and the things that you would support.

But, Ms. Sohn, the EFF published a guide called, Attending a Protest, that tells people to wear a mask, it will protect you from being identified in photos of the protest. Ms. Sohn, does encouraging folks to hide their identity during violent situations make law enforcement’s job easier, yes or no, simply.

Ms. SOHN. I don’t consider protest necessarily violent, sir. Look, I don’t make policy on EFF board.

Senator BUDD. Well during violent situations as we saw in 2020, do you understand why law enforcement would have a concern with you suggesting that people enhance their anonymity, yes or no?

Ms. SOHN. I understand why people might not want to be seen. I understand that. But I had nothing to do with—

Senator BUDD. So, I was hoping for a yes or no, that you could actually understand law enforcement’s concern.

Ms. SOHN. I understand. I absolutely understand.

Senator BUDD. Do understand law enforcement’s concern?

Ms. SOHN. Yes.

Senator BUDD. Thank you. Ms. Sohn, you know, we can learn a lot by who a person associates with, and you have been associated with a lot of radical partisans. You are an EFF board member and have received support from a group, 18 Million Rising, which has said, “policing has never been an effective response to violence because police are agents of white supremacy.”

The FCC needs impartial leadership, and unfortunately, I don’t believe that you offer that. I fear that your confirmation would make it harder for law enforcement to protect North Carolinians and make it harder for my State’s many rural communities to get desperately needed broadband.

I urge all my colleagues on both sides of the aisle to oppose your nomination. And again, thank you for being here. I yield back.

Ms. SOHN. Can I respond to that?

The CHAIR. Yes, go ahead, quickly.

Ms. SOHN. Just a couple of things. First of all, my tweets and retweets are about as banal and basic as you can imagine. Police brutality is bad. Militarization of police—again, this is not me speaking who just likes and retweets.

That Alexandria Ocasio tweet or retweet that I did was because she was explaining what she meant by defund the police. I actually personally feel that the defund the police term is stupid and it has been counterproductive. That is the only reason I retweeted that. I do not support defunding the police.

Senator BUDD. Madam Chair, just to be clear, I did yield back my time. Thank you.

The CHAIR. I thank the Senator. Go ahead.

Ms. SOHN. OK, thank you. Let me just say first that I am—I have always respected and worked with law enforcement ever since I was in law school. In fact, I just did a walk through in my neighborhood 2 weeks ago with the police, so I am really baffled by this opposition.

It is—the Fraternal Order of Police's biggest concern is EFF's encryption position, which, by the way, the FCC has no jurisdiction over and I have not spoken about it. I mean, it is similar with the FOSTA-SESTA.

I have not spoken about these things. These are not—I care about FCC stuff, and this is not FCC stuff.

The CHAIR. Senator Welch.

Ms. SOHN. I think it is a bit overwrought, to be honest with you.

The CHAIR. Senator Welch.

**STATEMENT OF HON. PETER WELCH,
U.S. SENATOR FROM VERMONT**

Senator WELCH. Thank you, Madam Chair. I have two real concerns. One is that we get rural broadband broadly and effectively deployed. Number two, that we have an effective functioning FCC. And that requires, number one, that we do have some bipartisanship on this committee.

Every one of us represents rural areas. My Republican colleagues in many cases have more rural areas than we do. Mapping is critical to that, and our understanding in Vermont is that the mapping is overstating the coverage. That has been the case for some time. We have been asking that there not be a distribution of money until we have confidence that the mapping is solid.

What say you about the mapping and what you will do to make certain that before we act on the deployment, we have accurate maps to guarantee that folks in rural areas, the last barn on the dirt road in Vermont has access to high-speed internet?

Ms. SOHN. So, Senator, two things. You probably know that I recently spoke with Christine Hallquist, who is the head of the broadband office in Vermont. And my wife and I have a very close relationship with Vermont, having had our civil union there.

So, we love the state. And yes, I agree with you 100 percent. It is critical to get those maps as accurate as possible by June 30. And I would dedicate myself to doing it, if I could get confirmed.

Senator WELCH. Well, if we don't have accurate maps, we have got to wait until we do get them.

Ms. SOHN. Yes, so—

Senator WELCH. And there is a tension between getting the money out the door and getting it out the door in a way that is going to be effectively utilized, right?

Ms. SOHN.—without a doubt. There is a huge tension. And I understand why the Commerce Department wants to get the money out. I don't think they are going to change. So that is why I think it is important to get somebody in there now who is going to work their tail off to try to get those maps as accurate as possible.

Senator WELCH. Right. Let me let go on to another question. You know, Senator Thune brought up, I think, a very fair concern, and that is, will the Commission work with the Congress to do things where there is a bipartisan path forward? And my understanding of the distinction between what you said and what he was concerned about as a leak versus you were authorized.

So, I am going to take you that that is what you were doing, something you thought was fully authorized. But in the spirit of what Senator Thune was asking, can you pledge as a Commissioner that you will do your level best to work with Congress in an effort to get to the bipartisan approach that we need in order to get rural broadband in all of our communities?

Ms. SOHN. Absolutely. And I did play, as a public advocate, I played a very large role in working both with Republicans and Democrats to get that bill passed.

Senator WELCH. Right. And the third is a point I want to make.

Madam Chair, there is a real dilemma for rural America, and the dilemma is that the big cable companies and the big telecom companies have a business model that is very much oriented toward making money, which is easier to do in the dense urban populations and they are leaving us in the rural areas behind.

And that is true whether you are Senator Schmitt in Missouri or you are in rural Northeast Kingdom, Vermont. And we have in Vermont community union districts, and those have been empowered with local authority to make decisions where they are on the hook to make certain that that farmer at the end of the dirt road has high speed Internet.

That is the objective, not maximizing the profit. Is that a model that you see as being helpful to guarantee that rural folks without much economic clout are going to get what they absolutely need?

Ms. SOHN. Yes, I love that model. And in fact, the infrastructure law requires the states to confer with local communities. And if they are not doing that, that is something that NTIA needs to look and make sure that is happening.

So, the local communities are on the front lines of knowing who has broadband and what they need, what the community needs, so they must work with the State level folks who are getting at the money.

Senator WELCH. Well, I mean—and I am having more confidence in Vermont that if we do this right, the money actually is going to make a difference for those folks in rural America. And I don't think we did the job we needed to do in the past round of funding. So, I wish you luck. Thank you for being here, and I yield back.

Ms. SOHN. You have great leadership in Vermont, so I agree with you. I think you will get good carve in there.

The CHAIR. Thank you. Senator Schmitt.

**STATEMENT OF HON. ERIC SCHMITT,
U.S. SENATOR FROM MISSOURI**

Senator SCHMITT. Thank you, and welcome back I suppose. It is my first time with you, but I did want to touch on a couple of issues maybe that have not been addressed yet. The FCC, as you know, has an important role in the lives of Americans. It has—it is an independent agency, of course, with the stated mission of overseeing and improving our communications system.

But beyond those stated goals, the FCC also plays an important role in safeguarding some of our most important and fundamental rights. The FCC ensures that our Nation maintains the principles of freedom of speech and freedom of expression.

The First Amendment, I really believe, is our pressure release valve as a country to speak your mind. And the FCC is crucial in ensuring Americans can express themselves, agree, disagree, and ensure dissent is protected.

In carrying out the agency's duties, the FCC ensures that we are able to connect with friends and family, but also exercise our fundamental rights of freedom of speech and hear differing viewpoints.

An FCC Commissioner must commit himself or herself to these noble goals, and Commissioners should work with Congress to protect Missourians and every American's right to freedom of speech.

Our republic simply cannot endure if we decide that only certain individuals or certain viewpoints can be heard, silenced, or censored. Yet, in direct contrast to these principles and freedoms of this country was founded upon, some of the largest companies in the history of the world, these big tech monopolies have worked recently to silence or censor viewpoints, specifically conservative ones.

The examples since you last testified in front of this committee are numerous. For example, Google censored Republican fund-raising efforts in e-mail platforms. Google owned YouTube removed videos created by the Conservative Political Action Conference. Google altered search engine results related to an interview on the Joe Rogan Podcast.

In my previous job as AG, we filed a landmark lawsuit that exposed a lot of this. That has been amplified by the Twitter files and the subject of a lot of the hearings that are happening over the House. What deeply concerns me is that you have spent the last two decades of your life pushing an agenda on behalf of these same big tech companies.

The ties between you and these big tech companies are clear, numerous, and quite frankly, disturbing. Public Knowledge, the non-profit that you founded in 2001 and served as its President, received \$100,000 from Google, over \$50,000 from Amazon, over \$50,000 from Facebook, as well as hundreds of thousands of dollars from third party groups connected to these big tech companies.

According to public disclosures, the Electronic Frontier Foundation, a foundation where you serve as a board member, was one of the groups that received, and I quote, "the most substantial contributions from Google's U.S. Government Affairs and Public Policy team." Your ties to Google were so tight that already back in 2007,

Politico noted that you worked closely with Google on several policy issues.

According to Mana, a national Latina organization as a senior adviser to the FCC several years ago, you championed a proposal to let Google and other tech monopolies pillage minority programmers television's content without paying for it. In 2020, you criticized my colleague, Senator Cornyn, and continued to push the big tech agenda by defending Section 230 liability protections for those companies.

So, my first question simply is, do you honestly expect the members of this committee or the American public to believe that you can be neutral with this long history and conflict of interest?

Ms. SOHN. Absolutely. And let me say first to Senator, nice to meet you as well, that the FCC does not have jurisdiction over Google. I had to provide every single radio, television, and news article that I was quoted in for the last 10 years.

You will see, particularly the last 5 years, I have been as critical of big tech companies as you have. So, my relationship with them back in the day when they were smaller, when they promoted policies that Public Knowledge agreed with, yes, we were on the same side. And talking about the money, we got money from everybody.

I asked money from every company. We would get money from Comcast, Verizon, AT&T, DirectTV. So, we are not partisan when it came to money.

Senator SCHMITT. Let me ask you, because you have mentioned that some of these claims are phony, and we will get to some of that and I may have to come back, but do you believe so-called disinformation should be censored?

Ms. SOHN. I don't think the FCC should have any role in that, no.

Senator SCHMITT. But largely speak—I mean, in this Government, there has been a ministry of truth propped up, right? A disinformation—

Ms. SOHN. Senator, I actually have a difference of opinion than some of my colleagues about disinformation. And certainly, Government should not censor it, no.

Senator SCHMITT. Well, let me just follow up briefly here. So, in 2020, you specifically said that "conservative bias on Facebook and Twitter," those claims were "phony."

In 2016, a whistleblower of Facebook exposed that the company would suppress news stories, including stories about Senator Romney, Senator Cruz, the Ranking Member of this Committee. Do you think that that claim is phony?

Ms. SOHN. I am not saying that claim is phony, but what I was tweeting about was the fact that there was a guy who would every week list the top viewed things on Google or the top topics on Facebook and they were, 9 of the 10 of them were conservative.

Senator SCHMITT. OK well in 2021, YouTube suspended Senator Rand Paul after he pointed out that cloth masks were ineffective, relying on President Biden's own former COVID adviser. Is that claim phony?

Ms. SOHN. Excuse me?

Senator SCHMITT. Is that claim phony, the fact that Senator Rand Paul was taken down because he claimed cloth masks were ineffective?

Ms. SOHN. I don't think that is phony. But YouTube has a right under the First Amendment to do that if they want to.

Senator SCHMITT. OK, so here is where I want to get. Let me just wrap up—

The CHAIR. The Senator's time has expired and you are one minute over. And so, let's—we will, if you can stick around, you can come back, but we have two other members and we need to get to our lunch, so I am trying to be respectful. Senator Sinema.

**STATEMENT OF HON. KYRSTEN SINEMA,
U.S. SENATOR FROM ARIZONA**

Senator SINEMA. Thank you, Chair Cantwell. And thank you, Ms. Sohn, for returning to the Committee to answer more questions related to your nomination as FCC Commissioner. Last year, as the Committee considered your nomination, we discussed how your time on the Board of Directors of Locast could impact your work as an FCC Commissioner, if confirmed.

Following that hearing, you filed a recusal agreement to the FCC Ethics Office to recuse yourself from matters involving retransmission consent or television broadcast copyright for 3 years, and now you are recusing yourself for 4 years from the rules governing retransmission consent on any related FCC dockets.

So, I have two questions, first, why did you recuse yourself when you testified to this committee last year that a recusal was unnecessary? And second, do you believe that your recusals from these matters and dockets will negatively impact the ability of the FCC to oversee these areas within its jurisdiction?

Ms. SOHN. Yes. I recused myself, I voluntarily recused myself because there was such widespread concern—I think I counted eight people on the members of the Committee who are concerned about my membership of Locast and whether that would bias me or not. And I didn't believe I would be biased, but I thought just it would be the better part of caution for me to voluntarily recuse.

And this is a narrow recusal, in my opinion. I narrowly recused from a number of issues that rarely come before the full Commission, and when they do, they are usually voted on in a 4–0 manner. So, my four-year recusal was for a docket that had not seen any action in almost a decade, 9 years, excuse me.

So that is 10—I am losing the name of the docket. So, to me, it is important that I voluntarily recused, but I don't see it really detracting from my duties. The other recusal was for retransmission consent and broadcast copyright. Again, these are things that rarely come before the full Commission.

And broadcast copyright never does, but retransmission consent does on occasions. And Senator Fischer actually pointed out that it has come before the Commission I guess 10 times and in 12 years, or 12 times in 10 years.

But every single time it was a 4–0 decision. So, I don't think it is going to take me away from the work of the Commission.

Senator SINEMA. Thank you. Ms. Sohn, a number of law enforcement organizations oppose your nomination to be a Commissioner.

These organizations are taking these positions based on your social media engagement and concerns about your position with regard to access to digital evidence.

So, what is your perspective regarding law enforcement's ability to access digital evidence with a valid warrant? And relatedly, what is your position on warrant proof encryption?

Ms. SOHN. Yes, these are issues that I really don't have positions on. The EFF has a position on them. I do think people should be able to encrypt their personal communications. But I think there has to be a balance.

So, for example, under CALEA, the FCC is required and telecom companies are required to give law enforcement access. So, of course, law enforcement should have access with a warrant to lawful communications.

So, I will be honest with you, Senator Sinema, this is one of the things that kind of baffles me because the FCC does not have jurisdiction over encryption issues. So, my personal opinion, which again, it is not a fully formed one because I am not an expert on it, I don't think it is really particularly relevant to this conversation because it is nothing I would ever deal with at the FCC.

Senator SINEMA. Thank you. You know, just last month, the Tucson Unified School District was hacked by a criminal ransomware gang. It held their network hostage, causing disruptions in school operations for 2 weeks. The FBI and CISA have warned for years that schools are vulnerable to cyber-attacks.

Now, this is just the latest of a series in cyber-attacks on Arizona schools. In the Navajo Nation, a ransomware attack on the Window Rock Unified School District took their systems entirely offline, causing lengthy delays in payroll and other services.

The FCC in September received a letter from the Arizona Department of Education urging them to allow schools to use E-Rate funding for more advanced cybersecurity infrastructure and systems.

The E-Rate program currently supports broadband and basic firewall systems, but it limits aid for advanced network protection. So do you support allowing schools to use their E-Rate funds to purchase a broader range of cybersecurity tools such as advanced firewalls and other network security services?

Ms. SOHN. I think that is something that the FCC should definitely look at. I have heard about this in Arizona and other states, and I think this is something where E-Rate funding, if we are talking about making sure that students, K through 12 students, have the best networks, the most secure networks, it seems to me logical, and again, the FCC would have to do a proceeding on this, to extend E-Rate funding to cybersecurity tools.

Senator SINEMA. Thanks. And you and I have discussed net neutrality a few times, but I wanted to follow up on those conversations. As you know, there have been decades of partisan disagreement about net neutrality, and the FCC changes the rules every Administration, which leads to litigation.

I think the only way for us to fix it is for Congress to pass a bipartisan bill that provides these protections while ensuring opportunity for innovation. Has your position regarding net neutrality

changed since we last spoke, and do you still support using Title II of the Telecommunications Act to pursue net neutrality?

Ms. SOHN. Senator, my position hasn't changed to the extent that I don't like the ping pong game any more than you do, and I would love to see Congress pass a law. However, if Congress doesn't do so, it is critically important that the FCC have oversight over broadband.

And right now, you know, for good or for ill, that authority is Title II with a lot of forbearance. So, in 2015, when I was at the FCC, we forbore from 90 percent of Title II, I think unfortunately is the only answer.

But I would welcome the opportunity to work with Congress to craft a bill that gives the FCC some authority over broadband oversight and deals with net neutrality.

The CHAIR. Senator Young. Thank you.
Senator SINEMA. Thank you.

**STATEMENT OF HON. TODD YOUNG,
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Hello, Ms. Sohn. Welcome to the Committee. I have to say, in preparing for this hearing and watching your exchange with some of my colleagues, before I have to say, I have been reminded of a number of concerns that I have about your nomination. You are, of course, entitled to free speech. You are not entitled to a Senate confirmation. I know you understand that.

Last time you came before this committee, we discussed your voluntary recusal from retransmission consent issues and what so many have been calling the disown rule for recusal, how it is going to be defined moving forward. Based on a number of the issues that were raised here today, and some in previous hearings, it seems that this rule, so to speak, may come into play for many other topics.

The FCC is a public interest regulator, and the American people, of course, deserve a full time Commissioner that won't be forced to recuse him or herself from relevant issues. And on top of that, if you don't recuse yourself from a number of different issues, it has become clear that the American people can't necessarily trust that you will make objective decisions in furtherance of the public interests.

We need a fair and impartial regulator at this powerful Federal agency. A former Democratic colleague of ours has called for a new nominee due to your, "extremist tactics." The Progressive Policy Institute opposes your nomination.

This is not a GOP or conservative front group. They have cited your, "pattern of illiberal intolerance for voices on the left," voices on the left, "who dissent from your hard left orthodoxies." Frank Washington, he is a veteran of the Carter Administration, and he wrote, and of the FCC, and he wrote an Op-ed opposing your nomination and detailing what I will say is a cozy relationship with big tech.

In that Op-ed, he went on to write, "what is most troubling is the patronizing mindset she has displayed toward minority communities, an all too familiar strain of progressivism that invokes our

cause and showcases our voices when convenient, but then belittles us if we challenge their central planning orthodoxies.”

Additionally, you have accused Members of Congress of being bought and paid for and yet you have apparently made a host of generous political donations to United States Senators while your nomination was pending before this very committee.

Finally, I am most concerned with the letters that we have received from numerous law enforcement organizations, and this has been mentioned before, the Fraternal Order of Police, National Sheriffs Association, the National Association of Police Organizations. These letters highlight concerns about your liking and retweeting of posts on social media about defunding the police.

The National Sheriffs Association states, “law enforcement officers across the country risk their lives every day to protect and serve our communities. They deserve the support of senior officials in the Federal Government who help to set policy. Unfortunately, Ms. Sohn has failed to provide such support by using social media to promote alarming statements that denigrate law enforcement.”

The FOP states that your public record is disqualifying to become a member of the FCC, and their letter further highlights that a vote to favorably report Ms. Sohn’s nomination would show a complete disregard for the hardworking men and women of law enforcement who are simply trying to do their jobs and protect the public.

As I said before, we need a fair and impartial regulator at the FCC and the litany of concerns raised by a variety of stakeholders give me great hesitation as to whether you will be able to serve in that capacity.

Can you please, and I am going to give you an opportunity to respond, can you please address the concerns raised by left leaning stakeholders, for example, that you are intolerant to views that are not far enough left for you?

Ms. SOHN. Yes, that is—I have never heard that before, actually. And actually, I have a reputation of bringing people of all different ideologies together. I just think that is false. Let me talk about the allegations of bias, because they cut very deep for me because I take them very, very seriously.

And I have conferred with ethics counsel both at the White House and also at the FCC to make sure that I will be free of bias. And if somebody believes that I would be biased in a particular docket, they can raise that with the FCC, and I will talk to ethics officials. So, I pledge to you that if there is an allegation of bias, that I will talk to agency officials and make sure that I can participate.

The CHAIR. Thank you. Senator Sullivan.

**STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Madam Chair. Ms. Sohn, I have had continuing concerns about you from your previous two hearings and my concerns are only—increased during this hearing.

This is a hugely important position. It relates to free speech in America, it relates to liberty, it relates to elections. It encompasses so much. And I think you have demonstrated here, and through

your actions, that you are a far left partisan whose public record demonstrates a profound lack of judgment, lack of candor, professionalism, and very importantly, temperament, needed to be an FCC Chairman, or an FCC Commissioner.

And by the way, there are all these talks about smears, character assassinations, vitriol. The Chairman mentioned that. I am simply going to ask you about your statements, and if there is any vitriol in this hearing, it is coming from your words, not our words.

So let me begin by an issue that is directly in your wheelhouse if you are confirmed. You said, "for all my concerns about Facebook, I believe that Fox News has had the most negative impact on our democracy. It is State sponsored propaganda."

Now millions of people watch Fox News. I happen to be one of them. Before Fox News came on the air, there was very little conservative voices. So, do you still believe Fox News is State sponsored propaganda?

And if they came before you as a Commissioner, you certainly would recuse yourself, wouldn't you? I mean, this is not just a minor statement, you are calling them the most negative impact on our democracy and State sponsored propaganda. Is MSNBC State sponsored propaganda?

Ms. SOHN. So, Fox News, actually, the FCC doesn't have jurisdiction over Fox News. And just as an—

Senator SULLIVAN. The FCC or any of its entities came before—if Fox News or any related entity came before the FCC, would you recuse yourself?

Ms. SOHN. No. In fact, I helped Fox broadcasting—

Senator SULLIVAN. No, no, answer the question—

Ms. SOHN. I helped Fox Broadcasting Network actually get on the air.

Senator SULLIVAN. Do you know, when you call something State sponsored propaganda, isn't that a little bit of a bias? The answer is yes, come on.

Ms. SOHN. The conversation—

Senator SULLIVAN. Be direct with me—

Ms. SOHN. Let me—Senator, if I may. I was talking about, this was in the context of the Section 230 hearing where folks were talking about disinformation on platforms. And the point that I was making in that tweet was that if the Government is going to look at platforms, they also need to look at Fox News.

Senator SULLIVAN. I think, look, I have a lot of questions for you and I am going to try to be respectful, but I also, if I think you are filibustering, I am going to cut you off.

I think when you call an entity one of the most negative—having one of the most negative impacts on our democracy and State sponsored propaganda, and you have control over speech, that is a giant problem, and it certainly shows a lack of judgment and a bias.

So, by the way, a bias on conservative views. Let me go to another issue that is very troubling to me, and it is your open disdain for Republicans, OK. Now, you have said, "Republicans know that the only way they can win an election is to suppress the vote."

Wow, that is not my view. That is not the view of Republicans here. The only way Republicans can win is to suppress the vote.

You also said maybe—"maybe next elections, Republicans will stop beating up on gays and women."

I mean, do you understand how, just ridiculously infuriating statements like this are? You are ripping half of the country, do you realize that?

Ms. SOHN. So, let me address the one about—

Senator SULLIVAN. No, just answer my question. Do you apologize for these statements? By the way, when people say this has nothing to do with the FCC, baloney. This is about free elections. You are saying you think Republicans want to suppress the vote.

Ms. SOHN. This wasn't—

Senator SULLIVAN. I mean, do you understand how offensive these kind of statements are? And by the way, how untrue they are? These aren't retweets. These are your statements. You want to talk about vitriol for America? This is pouring gas on American partisanship.

The CHAIR. Senator, let her answer the question.

Ms. SOHN. Senator—

The CHAIR. Because I need to get to two more people.

Ms. SOHN. Yes. I have admitted that some of my tweets were sharp and more partisan than I would even prefer. However, that tweet in particular was in reaction to what happened in Harris County, Texas, where the Republican leadership shut down drive thru voting. And that, again, has nothing to do—that was my opinion—

Senator SULLIVAN. Madam Chairman, I have another question. I—

Ms. SOHN. So, it is—you have to have the context.

Senator SULLIVAN. Actually, you do, but you don't, right. I mean, you are making a statement, "Republicans know the only way they can win an election is to suppress the vote." It is offensive. And it is—and it goes your character, it goes to your judgment. Let me just mention one other and then I am going to come back in round two. You keep saying that you are "baffled" by opposition by police forces, baffled.

And I know we have talked about it, the National Association of Police Organizations, they are very against you. And it is not because of the security of information, it is retweeting things like armed goons in riot gear, defunding the police.

They are saying it is profoundly concerning to us that a nominee for the Commissioner of the FCC has harbored such an openly and hostile and defamatory views of the police. I was just out with the Anchorage PD doing a ride along recently.

Why on earth would you be baffled by their opposition when you are making statements or supporting statements that are so derogatory? It is obvious why, because you are coming at them so hard. Why would you be baffled?

Ms. SOHN. I am baffled because there are 11 out of 18,000 tweets of mine, those 11 tweets, most of them were police brutality is bad, police shouldn't have tanks and armored vehicles.

Senator SULLIVAN. Armed goons?

Ms. SOHN. What is that?

Senator SULLIVAN. Armed goons.

Ms. SOHN. OK, well, again—

Senator SULLIVAN. You are baffled that they are opposing you after you called them armed goons?

Ms. SOHN.—that is one tweet out of 18,000.

Senator SULLIVAN. That is one tweet enough to make you disqualified, in my view. And the law enforcement in America right now is undergoing profound challenges. And it is also remarkable, you mention it, that the FCC doesn't have a lot of authority over law enforcement, but that law enforcement is coming out so strongly against you.

And it is because you are driving a narrative that is so harmful to them. And by the way, it is untrue. They are not armed goons. They are heroes. And you ought to apologize for all of these.

The CHAIR. Senator Sullivan, thank you. I don't know if that was your second round or if you went over a couple of minutes, but we do want to go to that quickly if we can. I know people have to get to other things, but I do want to accommodate members. So, Senator Cruz and then Senator Schmitt, and then, yes.

Senator CRUZ. Thank you, Madam Chair. Just as a housekeeping matter, I would ask unanimous consent to enter into the record four different things: a letter from the Log Cabin Republicans opposing Ms. Sohn's nomination, a letter from numerous police groups opposing Ms. Sohn's nomination, and a letter from FCC Commissioner Mike O'Reilly, former Commissioner, about the program under Mr. Rupe.

The CHAIR. Without objection.

[The information referred to follows:]



February 9, 2023

The Honorable Chuck Schumer
Majority Leader

The Honorable Mitch McConnell
Minority Leader

The Honorable Maria Cantwell
Chair, Committee on Commerce, Science, and Transportation

The Honorable Ted Cruz
Ranking Member, Committee on Commerce, Science, and Transportation

Dear Majority Leader Schumer, Minority Leader McConnell, Chair Cantwell, and Ranking Member Cruz:

Log Cabin Republicans, on behalf of more than 3,000,000 LGBT Republicans, conservatives, and independents, write to express our deep concerns regarding the nomination of Gigi Sohn as Federal Communications Commission (FCC) Commissioner. Since her initial nomination in 2021, it has become increasingly clear that Ms. Sohn's partisan comments, alarming views on censorship, and questionable ethical judgment are incompatible with the cardinal principles and responsibilities of the FCC.

While we acknowledge the historic nature of Ms. Sohn's nomination, we also recognize that simply being LGBT is not a qualification and to suggest otherwise would be an insult to the qualified and capable LGBT people in various industries across the country. Moreover, Sohn's proponents do an incredible disservice to her and to the LGBT community when they accuse Senators, who are raising completely legitimate concerns about her record, of "homophobia" and "bigotry." LGBT Americans, just like everyone else, want to be fairly measured on our merits, not our sexuality. Using Sohn's identity to shield her from genuine criticism steps our entire community back from the equality we have fought so hard to achieve.

Indeed, far more consequential than Ms. Sohn's sexuality is her track record.

Ms. Sohn has a long history of advocating for policies that would stifle innovation and competition in the broadband market and restrict the free speech rights of individuals and organizations. Furthermore, her close ties to certain special interest groups raise questions about her impartiality and ability to fairly consider all perspectives in her role as FCC Commissioner.

One particularly concerning issue with Ms. Sohn is her tenure at the non-profit organization Locast, which streamed local broadcast TV stations online without obtaining proper licenses. Despite the fact that Locast's business model was heavily reliant on legal gray areas, Ms. Sohn actively promoted the organization. Worse still, Locast faced a legal challenge and was ordered to suspend operations and pay \$32 million in damages to broadcasters; however, the day after Ms. Sohn was announced as a nominee for FCC Commissioner, the settlement was generously renegotiated to just \$700,000.

Sohn's support for and leadership of an organization that operated illegally suggests that she is not the impartial and balanced leader that the FCC requires and raises serious questions about her views on intellectual property. The renegotiation of the settlement her organization had to pay just a day after her nomination was announced also creates a troubling possibility of an unethical conflict of interest and abuse of power.

In addition to her questionable dealings with Locast, Ms. Sohn has a long history of advocating for government censorship and the restriction of free speech. She supported net neutrality regulations that would have stifled innovation and competition in the broadband market. She has also openly discussed the censorship of major American media outlets and picked clear favorites based on her political preferences in the U.S. media market.

The legitimacy of the FCC requires its commissioners to create policy with impartiality and a fair and balanced approach to government regulation. Ms. Sohn's views and actions are incompatible with these principles. Her proponents may know it too, which is why they are falsely accusing her opponents of homophobia.

We strongly urge the Senate to ignore these baseless accusations, judge Sohn on her merits, and reject her nomination.

Respectfully,



Charles T. Moran
President



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

317 South Patrick Street. ~ Alexandria, Virginia ~ 22314-3501
 (703) 549-0775 ~ (800) 322-NAPO ~ Fax: (703) 684-0515
www.napo.org ~ Email: info@napo.org

EXECUTIVE OFFICERS February 8, 2023

MICHAEL McHALE <i>President</i> <i>Florida Police Benevolent Association</i>	The Honorable Maria Cantwell <i>Chair</i> <i>Committee on Commerce, Science, and Transportation</i> <i>United States Senate</i> <i>Washington, D.C. 20510</i>	The Honorable Ted Cruz <i>Ranking Member</i> <i>Committee on Commerce, Science, and Transportation</i> <i>United States Senate</i> <i>Washington, D.C. 20510</i>
CRAIG LALLY <i>Recording Secretary</i> <i>Los Angeles Police Protective League</i>	Dear Chairwoman Cantwell and Ranking Member Cruz:	
SCOTT HOVSEPIAN <i>Treasurer</i> <i>Massachusetts Coalition of Police</i>	On behalf of the National Association of Police Organizations (NAPO) and the more than 241,000 sworn law enforcement officers we represent across the United States, I am writing to advise you of our serious concerns with the nomination of Gigi Sohn to serve as a commissioner on the Federal Communications Commission (FCC).	
KEITH CURRY <i>Sergeant-at-Arms</i> <i>New Jersey State Policemen's Benevolent Association</i>	Ms. Sohn has a significant record of supporting anti-law enforcement statements on social media. In July of 2020, for example, during the riots in Portland, Oregon, she retweeted a tweet criticizing federal law enforcement officers as "armed goons in riot gear with tear gas" while defending rioters who carried gas masks and shields. Further, over the past several years, she has retweeted tweets calling for the "defunding of police". This shows an anti-police bias that should disqualify her as an official in the federal government.	
MARK YOUNG <i>Vice President</i> <i>Associate Members</i> <i>Detroit Police Lieutenants & Sergeants Association</i>	As a private citizen, our Constitution affords Ms. Sohn the right to hold and express these views. However, it is profoundly concerning to us that a nominee for commissioner of the FCC has harbored such an openly hostile and defamatory view of police. If Ms. Sohn is confirmed to this position, there is no way to assure those views will not be perpetuated.	
JAMES PALMER <i>Parliamentarian</i> <i>Wisconsin Professional Police Association</i>	We want to move forward with improving our relationship with our communities and enhance their trust in our profession, but if such sentiments are held by high-ranking members federal government, this will be difficult to do. The men and women of the law enforcement community put their lives on the line every day to serve and protect their communities and they deserve the support and respect of their government.	
WILLIAM J. JOHNSON, CAE <i>Executive Director and General Counsel</i>	We appreciate your consideration of our concerns, and we urge you to stand with us in opposition to the nomination of Ms. Sohn to be a FCC commissioner. If you would like to discuss this issue further, please feel free to contact me at (703) 549-0775.	

Sincerely,

William J. Johnson, Esq.
 Executive Director



NATIONAL SHERIFFS' ASSOCIATION
THE VOICE OF AMERICA'S SHERIFFS

February 6, 2023

Dear Chair Cantwell and Ranking Member Cruz:

The National Sheriffs' Association (NSA) opposes the nomination of Gigi Sohn to serve as a Commissioner on the Federal Communications Commission (FCC).

Law enforcement officers across the country risk their lives every day to protect and serve our communities. They deserve the support of senior officials in the federal government who help to set policy. Unfortunately, Ms. Sohn has failed to provide such support by using social media to promote alarming statements that denigrate law enforcement. For example, she has used her Twitter account to like and retweet posts by Congresswoman Alexandria Ocasio-Cortez (D-NY) that have called for defunding the police. She also liked a troubling comment by another Twitter user that stated: "Funny how one bad protester labels the whole movement, but a few bad cops are never supposed to represent all cops."

The public knows that the vast majority of sworn law enforcement officers perform impossible tasks daily and deserve the support of our public officials. On behalf of the 3,080 Sheriffs of the NSA, we urge you to stand up for our nation's law enforcement professionals by opposing Ms. Sohn's nomination to serve as an FCC Commissioner.

Respectfully,


Sheriff Jim Skinner, Collin County, TX
Chair, Government Affairs Committee


Sheriff Greg Champagne, St. Charles Parish, LA
President, National Sheriff's Association



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC

March 16, 2020

Mike O'Rielly
Commissioner

Mr. Chad Rupe
Administrator
Rural Utilities Service
US Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1510

Re: Funding Opportunity Announcement (FOA) and solicitation of applications for second round of the ReConnect Program, Docket: USDA-2017-0002-0001

Dear Administrator Rupe:

As you are aware, I have been closely following all federal broadband funding programs, including the ReConnect Program's grant and loan disbursements, to ensure that funds are distributed as efficiently as possible and directed foremost to those communities lacking any broadband service, rather than those areas already served by an existing provider. To that end, I have voiced concerns to the Rural Utilities Service (RUS) over the use of scarce ReConnect Program funding to overbuild existing networks, whether built through private investment or via government subsidies. I raised many of these issues in previous comments that I filed in September 2018,¹ and in our in-person meeting on December 17, 2019. I was grateful for your willingness to meet with me and consider my concerns.

With the second round of funding forthcoming, I remain concerned about RUS rules that have the potential to undermine the success of the program in addressing the needs of those millions of Americans currently without access to broadband service. While I applaud RUS for introducing certain beneficial changes for the second round, particularly the decision to expand the time period for submitting a challenge to a funding decision from 30 to 45 days, other criteria are likely to result in potentially wasteful or problematic spending. Among the more troubling aspects of the second round's framework are (1) the decision to lower the threshold at which an area must be unserved to be eligible for a 100 percent grant from 100 percent unserved to 90 percent unserved; (2) a lack of consistent and transparent practices governing the challenge process; (3) the absence of comprehensive measures to exclude from eligibility areas already subject to enforceable deployment obligations; and (4) the decision to disproportionately favor fiber technology in the application scoring process. I would respectfully request that you consider these concerns, as further outlined below, and consider appropriate programmatic revisions as you move toward awarding further funding or designing future ReConnect Program rounds.

Rather than targeting scarce federal dollars to the truly unserved, the new 90 percent threshold will likely lead to subsidized overbuilding and leave the most remote areas without service

In my previous comments on designing the RUS pilot program, I advised that subsidizing buildout in areas that one or multiple providers already serve is an inefficient use of limited resources, and, moreover, undermines private incentives to invest in broadband buildout. I was, therefore, dismayed

¹ Letter from Commissioner Michael O'Rielly, FCC, to Christopher McLean, Acting Administrator, Rural Utilities Service (September 10, 2018).

Mr. Chad Rupe
 Page 2
 March 16, 2020

upon learning that for the second round of the ReConnect Program, RUS had decided to abandon its sound decision to limit 100 percent grants to areas that were 100 percent unserved, and instead lower an area's unserved threshold to 90 percent. Rather than targeting grant money to those most remote and expensive to serve areas, this revised threshold will likely result in upgrading service in lower cost areas that are not in need of broadband subsidies and leaving the hardest to reach areas without service. Further, by allowing applicants to use scarce funding to duplicate service in parts of the territory that already have service, the decision enables wasteful overbuilding at the expense of those truly in need. Our personal conversation on this point did not resolve my concerns but only raised further questions about the accuracy and feasibility of your assertion that lowering the threshold to 90 percent was necessary to avoid excluding areas where the number of served locations was negligible. While I am willing to countenance the possibility that the 100 percent unserved threshold was too rigid, the new 90 percent standard drastically overcompensates as a solution. RUS could have addressed the alleged problem via a much more appropriate "de minimis" exception, without creating the potential for significant swaths of subsidized overbuilding.

The decision to lower the threshold to 90 percent will also likely result in a much more burdensome and less transparent challenge process. In addition to the fact that the disposition of a given challenge will involve much greater discretion on the part of RUS, incumbent providers will be required to dedicate significantly more resources to prove an area is ineligible, which may ultimately deter challenges to otherwise ineligible applications. Further, challenging an application will be especially burdensome in areas where multiple providers collectively serve more than 10 percent of the territory, but no single provider can prove service to 10 percent on its own.

Better consistency and transparency in the challenge process are necessary to avoid wasteful spending

To ensure that providers are fully able to challenge ineligible applications, I would also implore RUS to take measures to improve consistency and transparency in that process. One concern raised in response to the first round's challenge process was that certain RUS field agents had taken an idiosyncratic approach to evaluating whether a location was served or unserved: rather than determining service based on the existence of broadband infrastructure, as is the common practice, certain field agents had deemed locations to be unserved due to the absence of a subscriber at the location.² In addition to the fact that subscribership is an irrational proxy for service and fails to give incumbent providers credit for their investment in broadband infrastructure, this definitional approach was apparently inconsistent across the challenge process.

While this peculiarity likely did not make much of a difference in the case of challenges to the first round of grants, it could prove to have major consequences in the second round, given the challenging party's much higher burden of proof. I would therefore recommend you consider implementing consistent and transparent guidelines for challenges and take appropriate steps to ensure uniform compliance by field agents.

More comprehensive measures are needed to exclude areas subject to enforceable deployment obligations

To protect the precious investments of those tasked with subsidizing broadband infrastructure, such as the millions of consumers who pay a monthly charge on their phone bills to support the FCC's Universal Service Fund, it is imperative that our agencies continue to coordinate to avoid awards that provide duplicative funding. To that end, I was pleased that RUS restricted from grant eligibility those

² Letter from Michael K. Powell, President and CEO, NCTA, to the Honorable Sonny Perdue, Secretary, U.S. Department of Agriculture at 5 (October 29, 2019).

Mr. Chad Rupe
 Page 3
 March 16, 2020

areas receiving funding through the FCC's Connect America Fund (CAF) Phase II Auction, and to hear that RUS has been in close contact with the FCC's staff to coordinate how to enforce that restriction.

At the same time, it is puzzling and potentially harmful that RUS failed to provide other federal broadband infrastructure programs with the same protections as CAF II. In the case of the FCC, the CAF II auction is only one of several funding mechanisms that is tied to enforceable buildout obligations. Rate-of-return carriers that elected model-based support under the Alternative Connect America Cost Model (otherwise known as A-CAM), as well as those receiving CAF Broadband Loop Support (BLS), receive billions of dollars every year in return for defined broadband buildout obligations, including at the 25/3 Mbps threshold, and they are required to file and certify geocoded location data on an annual basis into USAC's High Cost Universal Broadband (HUBB) portal to demonstrate compliance with these obligations. To avoid undermining those investments, RUS should restrict from funding eligibility areas subject to A-CAM and CAF BLS deployment obligations, as it did with CAF II.

Nor should explicit restrictions on eligibility be restricted to areas funded by federal agencies. For example, as a condition for approving its merger with Time Warner Cable, Charter Communications is subject to legally enforceable obligations to provide broadband service to locations across the state of New York. While currently available deployment data will not necessarily reflect the buildout obligations required of Charter, it would be incredibly wasteful for RUS to declare those areas eligible for ReConnect Program funding. And, even if Charter were to challenge a funding award in an area where it is required to deploy under these parameters, it is by no means clear that under current rules, that challenge would be recognized or even successful. RUS would be well-served to enact stricter eligibility rules at the outset to ensure that areas where a provider is already required to serve are not overbuilt as a result of ReConnect funding.

To stretch scarce program dollars as far as possible, funding ought to be distributed in a more technology neutral manner

In order to maximize innovation and public benefits, I have always supported the key, fundamental principle that broadband regulations and subsidies should strive to be technology neutral. Unfortunately, by assigning a disproportionate number of points to projects that propose to provide 100 Mbps symmetrical service, the ReConnect Program's scoring system seems to unfairly and discriminatorily tilt the scales towards fiber-to-the-premises technology over others that would serve consumers just as effectively. While it is true that higher upload speeds are necessary for a certain subset of applications, symmetrical service is by no means required for the vast majority of today's consumers, who have significantly greater download than upload needs. The decision to allocate such a higher weight to symmetrical service suggests that RUS is perhaps unwittingly and artificially favoring a particular technology at the expense of others, and I regret that this scoring metric was not modified for the second round of funding. As with all other elements of the program, evaluation criteria must above all be designed to meet the needs of those Americans who still to this day do not have any broadband service at all.

I appreciate your consideration of these views and stand ready to work with you to ensure that federal broadband funds are used for the greatest good possible.

Sincerely,



Michael O'Rielly

Senator CRUZ. Ms. Sohn, I think you have a long and consistent career as a zealous partisan advocate. There is a role for partisan advocates. It just doesn't happen to be on an independent agency charged with overseeing communications in the United States.

You also have a consistent pattern of being unable to perceive conflicts of interest, whether it is deceiving this committee and the White House about the sweetheart settlement that you signed the day after your nomination was announced, or whether it is being the only nominee I have seen in a decade to make contributions to Senators who are voting on your nomination while your nomination is pending, or whether it is bizarrely supporting an extreme group that blasts multiple Senators from both parties.

Now, I asked you about Joe Manchin and the group Fight for Our Future, where they ran billboards saying Joe Manchin is corrupt. You said you didn't agree with that. I asked you whether you agreed with them that Jon Tester is corrupt.

You said you didn't agree with that. I asked you whether you agreed with them that Gary Peters is corrupt. You said you didn't agree with that. Well, I didn't get to finish.

The CHAIR. Are you going to go to me?

Senator CRUZ. Oh, I am.

The CHAIR. OK.

[Laughter.]

Senator CRUZ. Because she has attacked you, too, but vicariously.

The CHAIR. I am not sure she has. I think an organization she belongs to has.

Senator CRUZ. The group that—but not just belongs to—

Ms. SOHN. Not even belong.

Senator CRUZ.—raises money for. So, so, this group also ran the following billboard. It is a picture of Senator Sinema. Also, a member of this committee. And it is not subtle, in case you want to miss the message they are trying to convey. It is in bright red right at the top. It says, Sinema is corrupt. Do you agree with their sentiment that Senator Sinema is corrupt?

Ms. SOHN. Of course not.

Senator CRUZ. Of course not. OK, you say. Of course not. So that billboard went up in 2019. At the end of 2019, what did you do? You sent out a fundraising e-mail for this organization at the end of 2019, so after they had put this billboard up.

Did you know about the billboards they put up attacking Manchin, and Peters, and Tester, and Sinema?

Ms. SOHN. I only actually knew the one about Senator Sinema. I didn't know about the other ones.

Senator CRUZ. OK, so you knew they had called Senator Sinema corrupt.

Ms. SOHN. I did.

Senator CRUZ. And after they called Senator Sinema corrupt, you asked people to contribute to them. Is that correct?

Ms. SOHN. I asked people to contribute not because of all their tactics—

Senator CRUZ. That is a yes or no question.

Ms. SOHN. One time—yes, I did.

Senator CRUZ. OK. So, you knew they were calling Senator Sinema corrupt and you asked them to contribute afterwards. And

by the way, the next year, so this is 2019—you know these tactics, you don't mind, you were aware of them.

You have testified you knew about them, at least with regard to Senator Sinema, and you wanted people to support them. You also did it again in 2020. And Chairman Cantwell asked if I was going to ask about her.

I would like to point out this same group sent a letter to Chuck Schumer demanding that Chuck Schumer remove Senator Cantwell as the Chairman of the Commerce Committee. Why? Because this committee hadn't confirmed you yet.

Now, I think that is a pretty extreme proposition. I have got to say, I have never seen a nominee or a group that the nominee fundraises for demand her own party's Chairwoman be fired because you haven't been confirmed yet. Do you understand why this seems one heck of a conflict of interest?

Ms. SOHN. I don't see how it is a conflict of interest, sir.

Senator CRUZ. Does it seem impartial or does it seem like an extreme partisan willing to burn, burn everything down if either party doesn't do what you want?

Ms. SOHN. Senator, I don't agree with all the Fight for the Future's tactics. However—

Senator CRUZ. Except you raise money for them, you know about them, and you raise money for them.

Ms. SOHN. I don't raise money for them.

Senator CRUZ. You send tweets every year asking people to contribute. When you ask people to contribute, that is called raising money. Let me ask you, does the FCC have an obligation to defend democracy?

Ms. SOHN. Absolutely.

Senator CRUZ. Absolutely. OK. I would like to look at chart number 15. Chart number 15, you tweeted and I am going to read, "I agree that scrutiny of big tech is essential, as is scrutiny of big telecom, cable, and media. And trust me, the latter played their own role in destroying democracy and electing autocrats like, say, Fox News."

Millions of Americans watch Fox News. Do you believe Fox News, as you said, this is not a retweet, this is you tweeting, that Fox News plays a role in destroying democracy. Do you understand why millions of people don't think you are fair and impartial to regulate communications?

Ms. SOHN. Fox News is not regulated by the FCC. And yes, I have some issues with Fox News. I also have some issues with—

Senator CRUZ. Some issues? Destroying democracy, that is not little. Let's look at number 16. Senator Sullivan asked you about that. You describe Fox News as State sponsored propaganda. You don't talk about vitriolic rhetoric, Senator Sullivan is right, it is coming from you. These are your words.

What about Fox News is State sponsored? You know, you talk a lot about private actors. Last I checked, Fox News is not part of the Government. I want you to explain those two words, State sponsored. Why, because State sponsored suggests that at the FCC you would use Government regulatory power to go after them and silence them. What did you mean by State sponsored?

Ms. SOHN. What I meant by that, and again, remember, I regretted the tone of that, was that they were very, very, very close to the Trump Administration. And the two of them were sort of interacting. That is why I called it State sponsored.

Senator CRUZ. Can I ask you one final question, is MSNBC very, very close to the Biden Administration?

Ms. SOHN. I haven't the slightest idea. I don't watch it.

Senator CRUZ. You don't watch MSNBC?

Ms. SOHN. I do not. I don't watch CNN either. I listen to NPR. Honestly, I don't.

Senator CRUZ. Thank you.

[Laughter.]

Ms. SOHN. I don't like screaming chyrons from anybody.

The CHAIR. I am going take my time, if I could here, for my second round. And then just to clarify, you have a lot of conservative support. And I know that News Corp and various people have been supporters of you.

And, you know, it is kind of interesting listening to everything today because I know these people know you in totality, right. And so, it is interesting that now people are trying to capture a moment of a retweet or a statement when in reality, these very conservative organizations who have been active in this space, like News Corp or the former Fox official or others, because I am assuming that they know your work and know your policy on important issues as it relates to competition.

So, oh, I guess—where is that. OK. I didn't even know that that chart existed, but that is OK. OK. A chart of Republicans, I guess that you said something nice about. OK, we will go back to my opening statement, which was literally about the number of endorsements that you have had from conservatives.

So I wanted to go back to that because the issue is, what are these policies that you think are pro-competition issues, that you think help keep the airspace—I know this is going to shock Senator Cruz, but you know what I would love to work with the two of you and come up with something on free speech because it is being challenged right now.

And I don't think everybody is comfortable with a bunch of executives that say that they created advisory committee and can swing back and forth about what it is they do or don't do. We had the Facebook whistleblower here and basically, they had ignored pleas from my office, from my constituents to take down hate messages against the Rohingya in what was happening in Myanmar, and Facebook refused to do it.

And I don't mean like once, I mean like with legal threats refused to do it. So, I don't think any of us want this world where we think a bunch of, you know, execs are calling the shots on what we need for free speech.

So, I know you believe in free speech, and I think that is why they are supporting you. And if I am reading the quotes correctly, they are saying these conservatives are supporting Gigi Sohn because she believes in free speech. So, but in addition, we have had a transformative landscape here as it relates to broadcasters, right. And I want many voices in broadcasting because I think if you

have competition in broadcast information, I think you will get better information.

True competition will get you more perfect information. Then on this other issue, we are trying to push a lot of dollars at broadband but still not getting where we need to go. So, what can you tell me that you would support in both of these areas that are competitive features that would help us?

I am disturbed that our colleagues have spent so much time talking about your personal associations, because I think they know you are a pro-consumer person. And so, but I would like to debunk the anxiety here and just talk about what are those pro-consumer, competitive ideas that you have.

Ms. SOHN. Well, for local broadcasting, I think we need to revisit the media ownership rules because they have led to enormous consolidation. And if we really care about local broadcasting and diversity in broadcasting, and the last FCC basically for all intents and purposes, eliminated those rules.

And I think we need to go back and look at that and look at other ways that we might be able to promote local broadcasting, particularly ownership by minority and women. There is another issue that is right in the FCC's wheelhouse, which Senator Cruz you just put out a statement about a little while ago, and that is the de-platforming of Newsmax and OAN.

I don't know why DirectTV deplatformed them. I spilled blood trying to get them on platforms. The predecessor to OAN is called Wealth TV, but also Newsmax, so I am very troubled by that. But I fear that there may be some competitive issues at play. I don't know the actual facts, but I think it is something the FCC should investigate.

You know, for some—these guys are real independent programmers, right. They have got one channel or maybe they have two channels and they often get knocked out of platforms because somebody can bundle 15 channels. Or, you know, or they have these what is called most favored nation clauses.

So, I think, you know, the FCC, because we have been so busy working on broadband—we, sorry, the FCC has been so busy working on broadband that sometimes these important media consolidation issues kind of get pushed by the wayside.

So, I think this is an opportunity, the de-platforming of Newsmax, to look at some of the practices around bundling and most favored nation clauses.

The CHAIR. Senator Schmitt, did you have a second round?

Senator SCHMITT. I did. Thank you. Yes, thank you, Madam Chairwoman. You know, beyond some of the concerns that have been brought to light of the connections with big tech and some of these really inflammatory statements that you still have not apologized for, you have called them sharp, but I really find it astounding that you have not apologized for some of these statements, especially with regard to law enforcement.

But beyond that, I wanted to explore your advocacy for massive economy changing regulations like net neutrality. In my preparation for this hearing, I did go back and watch some of your previous exchanges before this committee, and in particular with Senator Lee and Senator Sinema, you essentially said, I think you have

said it here today, that Congress should act on this issue, but if Congress doesn't act and the FCC can.

Now, since you were here last time, of course, the Supreme Court decided the *West Virginia v. EPA* case, which narrows rulemaking authority for agencies, including the FCC, on major questions of economic and political significance, of course, the major questions doctrine. And so, I don't have a lot of time.

So, I want to ask you, because I am very interested in knowing a couple of simple questions. First, do you believe that the FCC can implement massive regulations that would have wholesale restructure in economic sector or massive regulations that are political or economically significant? Do you believe the FCC can do that?

Ms. SOHN. Well, Senator, it is hard to for me to answer that question without more specifics—

Senator SCHMITT. Well, what about net neutrality? I am asking you specifically.

Ms. SOHN. Let's talk about net—I think that is—

Senator SCHMITT. Well, actually, so I have laid it out. Now, I don't have a lot of time. Net neutrality, you know what that is and you know what the major questions doctrine is. Do you believe you can act on that?

Ms. SOHN. So, the problem is that the Brand X case is a direct contravention of the West Virginia case.

Senator SCHMITT. Ma'am, I am just going to ask you, yes or no, do you think you can act on net neutrality if Congress doesn't act?

Ms. SOHN. I think the FCC can and has the authority to act. That doesn't mean it won't be challenged. And the West Virginia case is going to be a challenge for net neutrality rules.

Senator SCHMITT. But you see, you understand the importance of that case was a lot of bureaucrats will say this is ambiguous, there is gray area.

They have narrowed that down specifically so that in fact bureaucrats and regulars can't act on these sorts of issues without Congress acting because it is a part of a broader structure here, right.

The Constitution was created to make sure the people, the Article I branch has these decisions because they are accountable. You can send us here and you can send us home or you can send us back.

They can't do anything about you after you get past this hearing. And I just asked you a question, if you think you can act on this and you said you have, and you have no ability to do that.

Ms. SOHN. Well, Senator, again, Chevron still is good law. And I have lived by Chevron and died by it.

Senator SCHMITT. But Chevron has been modified, you would admit that, correct?

Ms. SOHN. Well, you know, it isn't that—it hasn't been modified.

Senator SCHMITT. Well, then let's add another thing to the list of reasons why you shouldn't be confirmed, because the EPA case makes very clear that people who might—you know, you want to be in a position where you can do this.

And what it appears to me is that regardless of what the law says, regardless of what now the Supreme Court of the United States precedent is, that you think you can act on issues of major

and economic significance or political significance just because you are frustrated Congress hasn't. You see how that might be a problem, right?

Ms. SOHN. I don't think it is a problem because Brand X is opposite. So, the Brand X case says that the FCC has the authority to decide whether broadband is a telecommunications service or an information service. And that is kind of the crux of net neutrality.

Now, whether the FCC could actually adopt net neutrality rules, I think that is a more difficult question, I will be honest with you.

Senator SCHMITT. So, on net neutrality, specifically in 2015—in 2020, you said that the 2015 implementation net neutrality order that then President Obama, it wasn't enough. You said, "I am not advocating for just reinstating the old rules." So even if the question of legality, of the Constitutionality of your actions, your comments demonstrate that you actually want to go much further than that.

And based on my review of your record, your statements—by the way, I was just referring to statements you made before. You made very clear that even after the EPA, West Virginia case, you are doubling down on this.

That your willful ignorance of that ruling, I have strong concerns that you will be unbiased, which I have indicated before, in an independent agency that has broad authority, and instead be pushing a radical agenda that you want.

And I would submit to you that if that is what you want to do, you ought to run for office, you ought to run for the Senate, you ought to run for Congress. But I think you are trying to do an end around here by being on the FCC and getting what you actually want, which is not how this system was set up. So, with that, I am done. Thank you.

The CHAIR. Senator Sullivan.

Senator SULLIVAN. Thank you, Madam Chair. And Ms. Sohn, I think you are getting a sense of frustration here. And let me, you keep talking about context, let me give you some context. You know, you are one of a long line of Biden Administration nominees who have made tweets and statements about Republicans being white supremacists, Republicans want to suppress the vote, Republicans, "beating up women and gays."

That is, you are quote, racists. And you know what, it is just tiring. It is really tiring. It was almost at one point, it seemed like if you made one of these statements in a tweet, the Biden Administration put you at the top of the list to nominate you, right. So, you are part of that cohort and it is frustrating.

Do you understand why people get frustrated? Do you understand why millions of Americans look at this and go, really problematic, she does not have the temperament making these statements. Do you understand that?

Ms. SOHN. I understand that people are frustrated and I don't like the partisanship either. You know, things have gotten sharper since 2016.

Senator SULLIVAN. But you keep saying sharper, but you are going to have enormous power if you are an FCC Commissioner. Let me just make two final points. One is just a correction for the record.

You probably don't know it, but in terms of OAN, the President of OAN just tweeted out "your lack of support for diverse voices makes her unqualified to be an FCC Commissioner." That is Charles Herring. Maybe he is watching the hearing, and has been, has changed his view. And similarly, the CEO of OAN just said One American News, the CEO and Owner just tweeted that "OAN will not, does not, and will not, will never support Ms. Sohn for Commissioner."

So just correcting the record, saying earlier you said OAN supports you. I think definitively they don't. Let me ask a final question, which is a really important one, and it relates to the policies that you would be really overseeing, and it relates to rural broadband connectivity for rural communities.

You know, we just had an infrastructure bill that focused on this. A lot of people talk about it, you have. You know, it is important for urban areas to go from 4G to 5G. You know, I always raise my hand, say, hey, what about no G? What about no G? My state is not connected at all.

And so, the infrastructure bill prioritized rural communities, and yet you have again, come out with, I believe, an elitist urban, rural view on broadband connectivity. And I am not going to quote from you, I am going to quote from an Op-ed from Senator Heidi Heitkamp, who last year wrote an Op-ed entitled, "Gigi Sohn is Wrong for the FCC and Rural America."

I would like to submit that for the record, Madam Chair.

The CHAIR. Without objection.

[The information referred to follows:]

One Country Project—Mar 2, 2022; 3 min read

SOHN IS WRONG FOR FCC AND RURAL AMERICA

By Senator Heidi Heitkamp

There has been a lot of Monday morning quarterbacking done to analyze election results with an eye towards rural America—namely Democrats trying to figure out how to gain traction there. In most elections if Democrats could just move 70–30 losses in rural counties to 60–40 losses, they would have a path to victory statewide. Far too often the policy vision to deliver this electoral improvement is boiled down to one simple idea: give them broadband.

It's not the only idea that works in rural America, but it isn't a bad one and it's certainly a needed one. A few important stats:

1. "22.3 percent of Americans in rural areas and 27.7 percent of Americans in Tribal lands lack coverage from fixed terrestrial 25/3 Mbps broadband, as compared to only 1.5 percent of Americans in urban areas, according to a recent report by the Federal Communications Commission." (*USDA, 2020*)
2. "Rural residents are still less likely than those living in suburban areas to report having home broadband." (*Pew Research, 2021*)
3. "About 81 percent of rural households are plugged into broadband, compared with about 86 percent in urban areas." (*New York Times, Census Bureau Data, 2021*)
4. "More than 30 million Americans—many of whom live on Tribal lands or in other rural areas—do not have access to broadband infrastructure that delivers even minimally sufficient speeds." (*White House Fact Sheet*)

But here's what's so confusing: How can Democrats support rural broadband expansion and also support Gigi Sohn? Sohn, the Biden Administration's nominee for FCC Commissioner, has made numerous public statements that call into question whether she will work to bring broadband to all rural Americans expeditiously.

- In a testimony to the House Energy & Commerce Committee, she said “policy-makers have focused disproportionately on broadband deployment in rural areas of the United States.”
- During an April 2021 interview with Bloomberg Government, saying “*What [have we gotten] for [the Federal government’s existing] \$50 billion investment? Not much.*”
- Sohn also criticized the FCC broadband policies and claimed they “made it really easy” for rural broadband companies “to basically suck at the government teat to the tune of billions of dollars.”

Given the significant progress that’s been made in closing the rural digital divide in recent years, and all the important work that remains to fully close the gap, this deeply cynical view of rural broadband efforts doesn’t inspire confidence.

Priorities matter, and Sohn has consistently tried to downplay the importance of policies focused on rural broadband and shift attention toward her preferred constituencies in urban areas.

Sohn has also been a longtime advocate of “overbuilding,” spending taxpayer dollars to build government-run networks in areas that already have service. This drains resources that should otherwise be going toward those Americans, overwhelmingly in rural areas, that have *no* service options. Given the supply chain problems and equipment and workforce shortages already affecting broadband deployment, it’s unconscionable that policymakers would allocate resources to over-building areas with installed service while putting rural Americans who have no service at the back of the line.

Senate Democrats should decide that enough is enough and ask President Biden to choose a new nominee for the FCC—one that can advance their agenda without these extremist tactics. Sohn is a mixed message at best and will obliterate any Democrats hope they will get credit for broadband wins.

*Heidi Heitkamp is the founder of the **One Country Project** and former Democratic senator from North Dakota.*



Senator SULLIVAN. So, in it, Senator Heitkamp, Democrat Senator Heitkamp said that in your testimony before the House Energy and Commerce committee, you said, “policymakers have fo-

cused disproportionately on broadband development in rural areas of the United States.” Then, this is Senator Heitkamp talking here, Sohn also criticized the FCC broadband policies and claimed they made it, “really easy for rural broadband companies,” this is now you, she is quoting you, “to basically suck at the Government’s teat to the tune of tens of billions of dollars.”

It is pretty vitriolic, in my view. And then here is how Senator Heitkamp summarizes her Op-Ed against your confirmation, “given the significant progress that has been made in closing the rural digital divide in recent years and all the important work that remains to fully close the gap, this deeply cynical view of rural broadband by Gigi Sohn does not inspire confidence.” I couldn’t agree more.

This is a gigantic issue for me and my constituents, and for Democrats and Republicans. So, do you still think Senators like me, “focus disproportionately on broadband development in rural areas”? I guarantee you, my constituents who have no G would fundamentally disagree with you.

Ms. SOHN. Senator, just because I said they disproportionately focused doesn’t mean that I don’t support all efforts. And like I said, I was one of the biggest supporters of the BEAD Program in the infrastructure bill. It doesn’t mean I don’t support rural broadband, but there has been, and particularly at the time, not so much now, OK. It is interesting—

Senator SULLIVAN. You, well this—I am quoting you from 2020.

Ms. SOHN. Right. Correct. I was testifying at a hearing about closing the digital divide and digital equity. And I wanted to make the point that nobody really was talking about the digital divide in cities at the time and that everybody was only talking about rural. Now we are talking about urban and rural, and I think that is really good.

Senator SULLIVAN. But you make, the statement makes it sound like—

Ms. SOHN. Because it is taken out of context.

Senator SULLIVAN. You are critical of Legislators who are trying to close the rural divide. And again, it makes me nervous about what you will do if you become the Commissioner with now not only an anti-conservative view, an anti-Republican view, you have an anti-rural America view, and it is not just me saying it, Heidi Heitkamp said it.

Ms. SOHN. Senator, if you would meet with me, and I think we are going to meet so I am really happy about that, you will see that I know more about how to fix the digital divide in Alaska than most people. And I would really love to talk to you about the substance because I have got all kinds of ideas.

I share some of your concerns about the rural health care program, about other programs. I can’t—and I have a lot of support in your state. Hopefully you have heard from some of them.

So, I do care deeply, particularly about your state and making sure everybody has broadband because I know it is the least connected state.

Senator SULLIVAN. It is.

Ms. SOHN. So, I hope we do have an opportunity to actually talk about what is real in your state, because I think I would be a fantastic Commissioner for the state of Alaska.

The CHAIR. I am even willing to join that meeting, just as I have joined other Alaska infrastructure meetings.

Senator SULLIVAN. I want to compliment the Chair on these kind of issues.

The CHAIR. No, no, it really is important. I mean, Alaska does have a very, very unique challenge. And all the things that you think you are going to do for all the rest of the states is not going to work in Alaska, so it needs its own plan. So, I appreciate that and I will happily attend that meeting.

So, this is the close of our hearing. Before we close, I would like to confirm, Ms. Sohn, if you pledge to work collaboratively with the Committee and provide thorough and timely responses to requests for information that we put—that you put together important policy papers and appear before the Committee when requested?

Ms. SOHN. Yes.

The CHAIR. Senators will have until the close of business, Friday, February 17, to submit questions for the record. Thank you all. That concludes our hearing.

[Whereupon, at 1:42 p.m., the hearing was adjourned.]

A P P E N D I X



February 27, 2023

The Honorable Maria Cantwell
Chair
Senate Committee on Commerce, Science and Transportation
United States Senate 254 Russell Senate Building
Washington DC, 20510

The Honorable Ted Cruz
Ranking Member
Senate Committee on Commerce, Science and Transportation
United States Senate 254 Russell Senate Build
Washington DC, 20510

**RE: CONFIRMATION OF GIGI SOHN TO SERVE AS COMMISSIONER OF THE FEDERAL
COMMUNICATIONS COMMISSION (FCC)**

Dear Chairwoman Cantwell, Ranking Member Cruz, and members of the Senator Committee on
Commerce, Science, and Transportation

On behalf of Color Of Change, one of the nation's leading racial justice organizations with millions
of members nationwide, and The Leadership Conference on Civil and Human Rights, a coalition
charged by its diverse membership of more than 230 national organizations to promote and
protect the rights of all persons in the United States, we write to express our complete support
for Ms. Gigi Sohn's nomination to serve as Federal Communications Commission (FCC)
Commissioner. We urge you to prioritize the swift confirmation of Ms. Sohn to serve as FCC
Commissioner. The FCC's mandate is to regulate the behavior of telecom companies to prevent
anti-competitive practices, encourage innovation and competition, and safeguard consumers
from harm. Given the importance of this responsibility, the agency cannot afford to remain
inactive for another year. To fulfill its mandate effectively, the FCC requires a fifth vote.
Furthermore, the public has a right to an FCC commissioner who will ensure access to broadband
in rural areas and underserved communities, as mandated by the bipartisan infrastructure act.

I. INTRODUCTION

Ms. Sohn is a strong advocate for the issues important to our communities. More than a year has
passed since Ms. Sohn's original nomination, and it has been more than two years since the FCC
had five sitting commissioners. The two years of deadlock at the FCC has left the agency unable

to correct the disastrous policies of the previous administration and unable to ensure equitable access to the internet for Black communities. Ms. Sohn has been an advocate for open, democratic, and affordable communication networks. For decades, she has worked tirelessly to promote competition, innovation, and accessibility in broadband internet. These efforts have made broadband internet more widely available, affordable, and protective of user privacy.

It is past time for the FCC to incorporate racial justice in all its policies. Broadband access and affordability, digital equity, and exploitative prison phone rates are all issues that disproportionately impact Black communities.¹ Color Of Change, The Leadership Conference, and other civil rights organizations have been vocal about the need for an Office of Civil Rights at the FCC, and without a full slate of commissioners, this vision will not be realized.

The FCC requires all five commissioners to implement bipartisan laws safeguarding digital non-discrimination and just and reasonable communications rates for incarcerated people and their loved ones. With Ms. Sohn's confirmation, the FCC can move past recent gridlock and pursue a pro-civil rights agenda. Her confirmation is important to advocates for racial justice.

II. MIS/DIS INFORMATION CAMPAIGN

Therefore, we are troubled by the Fraternal Order of Police's (FOP) misinformation campaign to oppose Ms. Sohn's confirmation as FCC Commissioner.² The FOP's concern about encryption policy³ is not based on Ms. Sohn's position since she has no position, and, as recognized by the FOP, is not based on any authority she would exercise at the Federal Communications Commission.⁴ The Fraternal Order of Police's (FOP) statement that Ms. Sohn harbors "deep animus"⁵ towards law enforcement is untrue. Ms. Sohn stated in her February 14 hearing, "I've always respected and worked with law enforcement ever since I was in law school." President Biden would not have nominated and renominated her if she had shown animosity towards law enforcement. Officials with expertise where the FCC does exercise public safety authority

¹ Color Of Change. 2021 Tech Accountability Priorities. (n.d.).

https://colorofchange.org/wp-content/uploads/2021/03/21-03_Tech-Policy-Demands-REV.pdf.

² FOP announces opposition to FCC nominee over encryption concerns. Fraternal Order of Police. (2021, December 10). Retrieved February 16, 2023, from <https://fop.net/letter/fop-opposition-to-fcc-nominee/>.

³ Fraternal Order of Police. (2023, January 1). *FOP objections to the potential re-nomination of Gigi B. Sohn to be an FCC commissioner*. Retrieved February 21, 2023, from <https://fop.net/letter/fop-objections-to-the-potential-re-nomination-of-gigi-b-sohn-to-be-an-fcc-commissioner/>.

⁴ Kevin Collier and Jason Abbruzzese. "Smear campaign targets nominee who would be FCC's first openly gay commissioner. FOP Executive Director Jim Pasco said, "If the FCC had a role, we would certainly be alarmed if she was a part of that role..."; McKay, T. (2021, December 13). Police Group says Biden's FCC nominee is too dangerous because, uh, encryption. Gizmodo. Retrieved February 16, 2023, from <https://gizmodo.com/police-group-says-bidens-fcc-nominee-is-too-dangerous-b-1848208308>.

⁵ Updated: Fop blasts FCC nominee... again. Fraternal Order of Police. (2023, February 13). Retrieved February 21, 2023, from <https://fop.net/2023/02/updated-fop-blasts-fcc-nominee-again/>.

support Ms. Sohn.⁶ The FOP's baseless and outright false campaign is another in a string of examples where the FOP blocks reforms that would help Black communities.

Led by millions in funding for lobbying and astroturf campaigns,⁷ the baseless attacks on Ms. Sohn are a last-ditch effort to prevent the FCC from fulfilling its obligations to provide oversight and regulation of broadcast, cable and telecom companies and prevent adoption of net neutrality protections. Major internet service providers are currently dodging \$200 million in privacy penalties due to the deadlock at the FCC.⁸ Throughout her career, Ms. Sohn has been a leading advocate and expert in securing a more free and open internet. Further, she understands that accessible communications systems are a racial justice priority.

Opponents to Ms. Sohn and a functioning FCC admit they seek to disrupt the conclusion, implementation and enforcement of an FCC rulemaking meant to prevent digital discrimination that would ensure that the \$42 Billion spent on internet infrastructure pursuant to the bi-partisan infrastructure law does not suffer from the same uneven rollout that we see today.⁹ The bipartisan infrastructure law mandates that the FCC issue rules to prevent "digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin."¹⁰ Late last year, the FCC issued its rulemaking, and sought public comment on a "disparate impact" standard for assessing discrimination.¹¹ If advanced, the rule could hold broadband providers liable if their practices result in less internet access for people of color and low income communities, even if companies don't intentionally discriminate.¹² Without a fully-functioning FCC, that rule is likely to be much weaker.¹³

III. A FULLY FUNCTIONING FCC

⁶ Letter from Admiral Jamie Barnett, RDML, USN (Retired) and David S. Turetsky to Senator Maria Cantwell, Chair, U.S. Senate Committee on Commerce, Science and Transportation (Jan. 3, 2022); Statement of the National Emergency Number Association on FCC Nominations (Nov. 20, 2021), <https://www.nena.org/news/588595/NENA-Statement-on-FCC-Nominations.htm> ("During Gigi Sohn's tenure at the FCC, her work no only improved requirements for 9-1-1 caller location accuracy, but also requirement for text-to-9-1-1—an essential tool for million of American in need every day").

⁷ Jane Mayer, The Slime Machine Targeting Dozens of Biden Nominees, *The New Yorker*, (April 16, 2022), <https://www.newyorker.com/news/a-reporter-at-large/the-slime-machine-targeting-dozens-of-biden-nominees>.

⁸ Roth, E. (2022, December 27). AT&T, Verizon, and T-Mobile could avoid \$200 million in fines thanks to FCC deadlock. *The Verge*. Retrieved February 21, 2023, from <https://www.theverge.com/2022/12/27/23527884/att-verizon-t-mobile-sprint-200-million-fines-fcc-deadlock>

⁹ The Editorial Board. (2023, February 13). Opinion | watch out, Gigi Sohn is back. *The Wall Street Journal*. Retrieved February 21, 2023, from <https://www.wsj.com/articles/watch-out-gigi-sohn-is-back-senate-confirmation-hearing-nomination-partisan-left-wing-fcc-progressive-political-attack-2843ebe0>.

¹⁰ 47 U.S.C. § 1754.

¹¹ *Id.*

¹² *Id.*

¹³ Sam Gustin, Prison Phone Calls Will No Longer Cost a Fortune, *Time Magazine*, (Feb. 12, 2014) <https://time.com/6672/prison-phone-rates/>.

The FCC will begin, next month, a rulemaking to implement the bipartisan Martha Wright-Reed Just and Reasonable Communications Act, a key priority of our organizations. The FCC's history on this issue demonstrates that one commissioner committed to justice can make a critical difference in the proper regulation of a dysfunctional market that imposes an egregious burden on the Black community.¹⁴

Acquiescing to falsehoods and fears disregards the needs of our people. It is time to end the evasion of a fifth vote on a functional FCC. Rupert Murdoch and the Fraternal Order of Police are delaying Gigi Sohn's confirmation. Despite the recent tragedy of Tyre Nichols' murder, the FOP is not focusing on reforming their industry, as one might have hoped, but on the FCC. It is time to confirm Gigi Sohn.

We urge you to prioritize the swift confirmation of Ms. Sohn to serve as FCC Commissioner. Should you require further information or have any questions regarding the issues raised in this letter, please contact Sakira Cook, VP of Policy & Government Affairs, Color of Change, at sakira.cook@colorofchange.org, Brandon Tucker, Sr. Director of Policy & Government Affairs, Color of Change, at brandon.tucker@colorofchange.org, Jesselyn McCurdy, EVP, Policy & Government Affairs, The Leadership Conference on Civil and Human Rights at mccurdy@civilrights.org, or Jonathan Walter, Policy Counsel for Media and Tech, The Leadership Conference on Civil and Human Rights, at walter@civilrights.org.

Sincerely,



Rashad Robinson
President
Color Of Change



Maya Wiley
President & CEO
The Leadership Conference on Civil and Human Rights



Sakira Cook
VP of Policy & Government Affairs
Color Of Change



Jesselyn McCurdy
Executive Vice President, Policy & Government Affairs
The Leadership Conference on Civil and Human Rights

¹⁴ Elia Baker Center for Human Rights, Forward Together, Research Action Design, Who Pays? The True Cost of Incarceration on Families (September, 2015), <http://whopaysreport.org/wp-content/uploads/2015/09/Who-Pays-FINAL.pdf>.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RAPHAEL WARNOCK TO
GIGI B. SOHN

Broadband. Ms. Sohn, when you were last before this Committee, you committed to me that you would work with my office to connect every Georgian to the Internet. I was glad to champion the Infrastructure Investment and Jobs Act (Pub. L. 117-58) and its generational investment in broadband deployment. However, I am concerned that without accurate mapping, these funds may not go to the places that need them the most. In December 2022, I led a letter with every member of the Georgia delegation calling on the Federal Communications Commission (FCC) to extend its deadline for states to submit challenges to its draft broadband map, emphasizing the need for accurate mapping.

Question 1. Do you agree that accurate broadband mapping is essential to the efficient deployment of Federal resources?

Answer. Yes.

Question 2. If confirmed, what steps would you take to ensure that the FCC's broadband mapping, which will guide the deployment of funding from the Infrastructure Investment and Jobs Act, is accurate?

Answer. With the June 30 deadline for allocating funding for the Broadband Equity, Access, and Deployment (BEAD) program just four months away, time is of the essence. If I am confirmed, I will work with the Chairwoman and the states to find creative ways to improve both the service location map and the availability map before the BEAD allocations are made. After June 30, I will continue to work with the states to ensure that their challenges are considered fairly and that they obtain the information they need to perfect them.

Question 3. If confirmed, will you commit to working with my office and other Georgia stakeholders to ensure their information is reflected in funding decisions?

Answer. Yes.

ACP Implementation. The Affordable Connectivity Program (ACP) has been a success, however, like any new program, it can be improved to ensure it fulfills Congress' intent.

Question 4. What program improvements do you believe are needed to enhance the operations of and increase participation rates in the Affordable Connectivity Program (ACP)?

Answer. I agree that the ACP has been a success, and also that it could be improved upon to ensure that every household that is eligible can make use of it. I would make three changes to the program:

1. **A More streamlined, User-Friendly application process.** The application process for the Affordable Connectivity Program is already cumbersome and difficult for applicants and is causing many applicants to not complete their application and enroll in the program, despite being eligible for it. The two-step enrollment process and need for documentation for verification often prevents eligible households from completing enrollment. More clarity on required documentation and a more seamless, human-centered user interface would support increased enrollment.
2. **Better enrollment data and continued support for digital navigators and future ACP outreach grant funded partners.** The FCC should seek to provide the greatest possible amount of useful ACP data in a form that can easily be aligned to the boundaries of local jurisdictions, communities and neighborhoods, and matched with relevant local data from the American Community Survey and related sources on such topics as age, race, language, income, family characteristics, housing occupancy, school affiliations, public health, etc.—not to mention household computer ownership and broadband adoption. To ensure those who need these programs have access, there is a need for more training, simplicity, and continued funding for on-the-ground, person to person innovative enrollment support. It's essential that both trusted organizations and providers are well-trained to properly enroll and serve households that need support with understanding the ACP process. More formalized training and technical assistance and support from USAC would ensure more organizations have the tools and training they need to adequately serve their constituents.
3. **Appropriations to continue the program.** The lack of clarity on ACP's continuation is beginning to hamper enrollment. Forthcoming research from Brian Whitacre, Hernan Galperin, and John Horrigan shows many households are not enrolling out of fear the program will end. In addition, digital inclusion practitioners and those who have spent time promoting the program are in the difficult

position of advertising and enrolling participants in a program that they cannot promise will last or be available to the participant a year from now. Internet service providers' low-cost programs are helpful, but they all have participation limitations. Without Congressional action, this vital program will go away in just a few short years.

USAC Oversight. The Universal Service Administrative Company (USAC) manages verifications of customer enrollments into ACP; however, constituents in Georgia have noted that USAC can experience outages lasting many hours.

Question 5. What steps would you take, if confirmed, to improve the performance of USAC?

Answer. As you note, the ACP is a successful program that was stood up by the FCC and USAC in a very short period of time. While it is not acceptable to have frequent outages, I do not have an insight on the extent of the problem. If confirmed, I promise to look into this issue to determine whether there are directives that the Commission can make to USAC to improve its performance to ensure that consumers have access to the online databases necessary to enroll in the ACP and other USAC programs.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED CRUZ TO
GIGI B. SOHN

Question 1. You've repeatedly defended your past rhetoric on the basis that you were acting in your capacity as a "public interest advocate" and that your "opinions as a public interest advocate will have no bearing on how [you] behave as a policymaker" at the FCC. For instance, in response to questions from Senator Vance during the hearing on February 14, 2023, you testified that previous incendiary comments that you made were made "either in [your] role as a private citizen or public advocate." You also responded to one of Senator Blackburn's questions by saying that "the role of a policy maker is different than the role of an advocate." I'd like to hear more about what being a public interest advocate means, in your view. Yes or no: is it still your position that your "opinions as a public interest advocate will have no bearing on how [you] behave as a policymaker"?

Answer. Yes. As a policymaker I am bound by the Administrative Procedure Act to make decisions based on the totality of the record and the law. If confirmed, my decision making will be subject to this requirement, and will also be shaped by input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee. If a regulatory body fails to make decisions based on the record of a proceeding and the law, it would likely be overturned by the Federal courts.

Question 2. How do you define the role of a public interest advocate?

Answer. A public interest advocate is someone who publicly supports or recommends a particular cause or policy.

Question 3. How was calling Senator Mitch McConnell the "grim reaper", which you have done, in the public interest or part of your job as a public interest advocate?

Answer. As I stated in my February 22, 2022 Questions for the Record, I do not think that partisan and petty name calling is appropriate for a public official. It was an off-hand comment made as a public advocate and in the context of a policy discussion of the Senate's consideration of the Save the Internet Act, which would have reinstated the 2015 Open Internet Order. Senator McConnell said that the bill was "dead on arrival" in the Senate, hence the "grim reaper" reference. Regardless, I regret the comment.

Question 4. How was saying that Fox News is "state sponsored propaganda", "dangerous to our democracy", and "destroying our democracy and electing autocrats", which you have done, in the public interest or part of your job as a public interest advocate?

Answer. For over 30 years, I have worked to ensure that our communications networks promote democratic values, and that includes speaking publicly via differing mediums, including social media. While my tone was perhaps sharper than I might have preferred, those tweets were commentary on the impact specifically of Fox News on our democracy. Recent news reports that Fox News anchors believed that claims of 2020 election fraud were false yet continued to push that idea¹ would tend to support my concern.

¹ Jeremy Peters and Katie Robertson, *Fox Stars Privately Expressed Disbelief About Trump's Election Fraud Claims*, New York Times, February 16, 2023. Found at <https://www.nytimes.com/2023/02/16/business/media/fox-dominion-lawsuit.html>.

Moreover, over the past 5 years, my job as a public interest advocate included publicly commenting in various forums on policy issues involving not only telecommunications and media, but also online platforms like Meta, Amazon, and Google. In the context of the “state-sponsored propaganda” tweet, I was commenting on Twitter about a hearing where online platforms were being singled out as the source of disinformation in our society. I suggested, perhaps more sharply than I would have preferred, that if Congress wanted to examine disinformation on social media, it should also look at mainstream media as well.

Question 5. How was alleging that Republicans are a threat to our republic and saying that “Republicans know that they only way they can win is to suppress the vote”, which you have done, in the public interest or part of your job as a public interest advocate?

Answer. I made those comments as a private citizen—they had no relation to my work as a public advocate for open, robust, and affordable communications networks. As I discussed at the February 14 hearing, the latter comment was made in response to the news report that Republicans in Harris County, Texas discontinued drive-up voting in the middle of the 2020 election.

Question 6. How can you be this offensive and unfair as a “public interest advocate” but expect senators to believe you’ll be impartial and fair as a “public interest regulator”?

Answer. I don’t believe that I am offensive and unfair, but in any event, the role of a regulator is very different from that of an advocate. As a regulator I would be bound by the Administrative Procedure Act to make decisions based on the totality of the record and the law. If confirmed, my decision making will be subject to this requirement, and will also be shaped by input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee. If a regulatory body fails to make decisions based on the record of a proceeding and the law, it would likely be overturned by the Federal courts.

Question 7. Let’s say, for the sake of argument, that calling Fox News “state sponsored propaganda” was part of your job. How is Gigi Sohn the person different from “public interest advocate Gigi Sohn”? Please explain how you can separate the two.

Answer. “Public Interest Advocate Gigi Sohn” writes, speaks, testifies, and otherwise publicly advocates on issues related to communications and technology law and policy. These include, broadband policy, privacy, content moderation, antitrust, media policy, and only rarely, international communications and technology policy. “Gigi Sohn the person” is a citizen who comments on a wide range of things unrelated to my work, including politics, sports, culture, food, friends and family.

Question 8. The Communications Act, which you would be required to apply and interpret as an FCC commissioner, charges the FCC with regulating and issuing licenses in the “public interest.” In fact, the Communications Act mentions that term 103 times. What is the difference between working in the public interest at Public Knowledge, the Benton Institute, and Georgetown University and working in the public interest at the FCC?

Answer. If I am confirmed as an FCC Commissioner, I would be bound by the Administrative Procedure Act to make decisions based on the totality of the record and the law. If confirmed, my decision making will be subject to this requirement and will also be shaped by input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee. If a regulatory body fails to make decisions based on the record of a proceeding and the law, it will likely be overturned by the Federal courts.

A public interest advocate is not bound by the Administrative Procedure Act and needn’t take into account the totality of the record of a proceeding or take input from others.

Question 9. At your nomination hearings, you have stated that you have consulted with a group of outside advisors during the course of your nomination process, including an advisor(s) who counseled you that you could not share information about the Locast secret settlement agreement with this Committee. What are the names of the outside advisors that you have consulted with during the course of your nomination process?

Answer. In my hearings and Questions for the Record, I told the Committee that I consulted with outside advisors with regard to the scope and duration of my voluntary recusal. Specifically, those advisors were Greg Guice of Public Knowledge and Ernesto Falcon of the Electronic Frontier Foundation, as well as Committee staff. I was advised by Michael Dockterman of Steptoe and Johnson, attorney for Sports Fans Coalition New York, Inc., about the confidential Locast settlement agreement.

Question 10. What is the name(s) of the advisor(s) who counseled you that you could not share information about the Locast secret settlement agreement with this Committee.

Answer. Michael Dockterman, Steptoe and Johnson, attorney for Sports Fans Coalition New York, Inc.

Question 11. When previously asked by Senator Blunt if you believe that Locast impacted local broadcasters, you responded, “I do not agree that Locast’s operations were financially harmful to local broadcasters” but then pivoted and did not provide an explanation. Please explain why you believe retransmission of broadcast TV signals without paying fees is not harmful to broadcasters and content producers.

Answer. Judge Stanton did not find that any local broadcasters were harmed financially by Locast’s operations, and the fact that the case narrowing agreement limited the case only to the question of whether Locast qualified for a non-profit exemption under copyright law, is evidence that the plaintiffs knew that proving damages was going to be extremely difficult.

I did not say, and do not believe, that as a general rule, that retransmission of broadcast TV signals without paying fees is not harmful to broadcasters and content producers.

Question 12. You previously stated that you have no bias against the broadcast networks that sued SFCNY for operating Locast and won a permanent injunction against you. Does your involvement in Locast create an *appearance* of bias on your part against the broadcast networks in any way?

Answer. No. Nothing I have said or done with respect to this lawsuit creates an appearance of bias. In this way, I am no different from a nominee who works for a media company that gets sued by another media company. Without more, the mere fact that the networks sued an organization on whose board I sat doesn’t create an appearance of bias on my part.

Question 13. Does your involvement with Locast create a conflict of interest on your part with respect to serving as an FCC commissioner?

Answer. No. Neither the Office of Government Ethics nor the FCC’s Office of the General Counsel believe my involvement with Locast creates a conflict of interest.

Question 14. Does your voluntary recusal dated January 27, 2022, remain in effect?

Answer. Yes.

Question 15. What is the termination date for your voluntary recusal from participation in FCC Docket No. 10-71 or any related FCC docket concerning the same issues?

Answer. July 1, 2025

Question 16. What is the termination date for your voluntary recusal from participation in any proceeding before the FCC where retransmission consent or television broadcast copyright is a material issue in the FCC’s disposition of that proceeding?

Answer. July 1, 2024

Question 17. Did you have any discussions with the broadcasting industry about the contours and scope of your proposed recusal before submitting your January 27, 2022 recusal letter?

Answer. No.

Question 18. Did you have any discussions with anyone in Congress, including congressional staff, about the contours and scope of your proposed recusal before submitting the letter?

Answer. Yes, as I discussed in my February 22, 2022 Questions for the Record, I discussed the contours and scope of my proposed recusal with Committee staff.

Question 19. Did you have any discussions with anyone in the White House, including staff, about the contours and scope of your proposed recusal before submitting the letter?

Answer. No.

Question 20. Who will be the final arbiter on which proceedings you will be recused from?

Answer. FCC ethics officials in the Office of General Counsel.

Question 21. If confirmed, will you commit to asking the FCC Office of General Counsel to make a determination on FCC proceedings for which you believe that your voluntary recusal does not apply, but for which members of this Committee believe it does?

Answer. As noted above, the FCC’s Office of General Counsel will be the final arbiter regarding any proceedings that would require my recusal.

Question 22. If confirmed, please list all ongoing FCC proceedings you will recuse yourself from.

Answer. I have committed to recusing myself from docket number 10-71. In addition, for one year after confirmation (if I am confirmed), I cannot participate “personally or substantially” in matters where the entities for which I worked (Georgetown Law Institute for Technology and Policy, Benton Institute for Broadband and Society), on whose boards I served (Electronic Frontier Foundation and Sports Fans Coalition NY, Inc), and for whom I provided consulting services (5 “expert” networks) are “a party or represent a party,” unless I am authorized to participate by the Office of General Counsel.

Question 23. Do you stand behind your statement in your voluntary recusal that it was issued “to avoid any appearance of impropriety and in interest of ensuring that the public has full confidence that policymakers will make decisions free of bias?”

Answer. Yes.

Question 24. If your answer is “yes”, then why didn’t you recuse yourself from other proceedings in which you personally participated, including those in which you filed signed comments or other documents?

Answer. As I testified at the February 9, 2022 hearing and addressed in my February 22, 2022 Questions for the Record, I was trying to address the concerns of some members of this Committee with respect to my involvement in Locast, so I crafted a temporary and narrow voluntary recusal at the nexus of my involvement with Locast and my personal participation in a 12-year-old Petition for Rulemaking seeking changes to the retransmission consent regime.

I relied upon precedent involving former Chairman Kennard, who voluntarily recused himself from a fairness doctrine related docket because he had signed a pleading as an NAB intern many years before. I had signed a Petition for Rulemaking seeking changes to the retransmission consent regime, and the docket remains open, so I have voluntarily offered to recuse myself for a limited period from issues emanating from that petition.

By contrast, requests for recusals from other proceedings in which I personally participated are not tethered to anything and are without precedent. They are basically saying that I should be recused from everything and anything I’ve ever advocated for or against. Imagine the implications of that—anyone, whether they be in private practice, working for a corporation, an academic, or a public interest advocate, would have to recuse themselves from any matter on which they’ve taken a position on, whether or not they were representing specific clients. The result would be an FCC populated by members with no background in communications law and policy. That is a result that I don’t believe that anyone wants.

Question 25. You previously stated that your recusal was voluntary and that you could withdraw your recusal after consulting with the FCC’s General Counsel. Will you leave no doubt and make your recusal mandatory?

Answer. My recusal is voluntary and the ethics officers in the FCC’s Office of General Counsel saw no need to make it mandatory. I intend to abide by my recusal.

Question 26. Why didn’t you disclose your voluntary recusal agreement in response to any of conflict of interest questions in Section B of the Senate Commerce Committee Nominee Questionnaire that you submitted in the 118th Congress?

Answer. I have never claimed, nor did the FCC’s ethics officials determine, that my membership on the SFCNY Board presented a conflict of interest. 18 U.S.C. Sec. 208(a) defines a conflict of interest as one where a person has a “financial interest directly and predictably affected by [a] matter.” Neither my membership on the SFCNY Board nor my recusal involves any financial interest. Moreover, neither the Office of Government Ethics nor the FCC’s Office of the General Counsel believe my involvement with Locast creates a conflict of interest.

In any event, I have made my voluntary recusal letter well known to the members of this Committee. Apparently, even some of the new members of the Committee were aware of the recusal. For example, when I met with Senator Budd on February 10, he asked me questions about the scope of my recusal agreement.

Question 27. Although you have promised to recuse yourself from retransmission consent proceedings due to your position on the SFCNY board, the illegal operations of Locast and your publicly expressed sentiments cast a pall over many proceedings. For example, you have previously stated that you weren’t willing to expand your recusal to cover mergers involving the Locast litigants or parties harmed by Locast. Yes or no: Will you reconsider that position?

Answer. No. And as discussed in detail in response to question 28 below, no court has declared Locast's operations to be "illegal" and no court has found that any party was "harmed" by Locast.

Question 28. In February 2022, Standard General announced their intent to acquire Tegna. The FCC is currently reviewing this transaction. Given that Tegna owns channels whose signals were illegally retransmitted by Locast, including four stations in Texas, do you agree that it would create an appearance of impropriety for you to participate in this transaction review? Why or why not?

Answer. I do not agree that it will create an appearance of impropriety for me to participate in this transaction review. First, no court has determined that any broadcaster's channels were "illegally retransmitted" by Locast. The court only found that Locast did not qualify for a non-profit exemption under copyright law. No determination was made that Locast acted illegally. Second, the mere fact that Locast carried a particular broadcaster's signal does not in and of itself create an appearance of impropriety, particularly in light of the fact that Judge Stanton did not find that any broadcaster was harmed by Locast's service. Finally, Tegna was not a party to the lawsuit against SFCNY. As previously noted, if I am confirmed, the FCC ethics officials will be the final arbiter regarding any necessary recusals.

Question 29. An overarching issue in the Standard General-Tegna transaction is its impact on retransmission consent fees. Given that you have promised to recuse yourself from retransmission consent proceedings, do you plan to also recuse yourself from reviewing this transaction? If not, do you at least plan to recuse yourself from the portion of any decision that addresses or resolves concerns about retransmission consent fees? Why or why not?

Answer. I do not plan on recusing myself from the portion of any transaction that addresses or resolves concerns about retransmission consent fees because my voluntary agreement excludes "any assignment or transfer of control of broadcast, cable and satellite companies." As previously noted, if I am confirmed, the FCC ethics officials will be the final arbiter regarding any necessary recusals.

Question 30. More broadly, if you're confirmed, do you plan to recuse yourself from any future FCC transaction reviews that involve a broadcast company whose signals Locast, under your leadership, also illegally retransmitted? Why or why not?

Answer. I do not plan on recusing myself from any future transaction involving a broadcast company whose signals Locast transmitted because: 1) My voluntary agreement excludes "any assignment or transfer of control of broadcast, cable and satellite companies"; 2) No court has determined that any broadcaster's channels were "illegally retransmitted" by Locast. The court only found that Locast did not qualify for a non-profit exemption under copyright law; and 3) The mere fact that Locast carried a particular broadcaster's signals does not in and of itself create an appearance of impropriety, particularly in light of the fact that Judge Stanton did not find that any broadcaster was harmed by Locast's service. As previously noted, if I am confirmed, the FCC ethics officials will be the final arbiter regarding any necessary recusals.

Question 31. Similarly, given that retransmission consent fees are a significant issue in almost every transfer of broadcast licenses, transfer of cable operations, or review of broadcast or cable media ownership, do you plan to recuse yourself from participating in such proceedings where retransmission consent is a significant part of the FCC's review? Why or why not?

Answer. I do not plan on recusing myself from these proceedings because my voluntary recusal specifically exempts them.

Question 32. You previously tweeted that the FCC should look into revoking Sinclair's broadcasting licenses—a grave threat to any broadcaster and one revealing undue partiality. Do you agree to recuse yourself from any adjudication or enforcement action regarding Sinclair, including any transaction review? Why or why not?

Answer. I will not recuse myself from any adjudication or enforcement action regarding Sinclair. I believe that I can review matters involving Sinclair Broadcasting in a fair and neutral way. Regardless of what I might have said four years ago about a merger that was blocked by the Trump FCC, it would have no bearing on any future proceeding involving Sinclair. In those future proceedings, I would be bound by the law to decide matters based upon and supported by the record of that proceeding. If the FCC makes a decision that is not supported by the record of a particular proceeding, it is likely to be reversed by the Federal courts of appeal.

It is important to note that the question of whether Sinclair is fit to be a broadcast licensee came up in the context of its proposed merger with Tribune. The FCC, under former Chairman Ajit Pai, effectively blocked the merger because it found that "there was a substantial and material fact as to whether Sinclair affirmatively

misrepresented or omitted material facts with the intent to consummate this transaction without fully complying with the media ownership rules.” I supported that decision, and said that, “[i]f true, this allegation *raises a legitimate question* as to whether Sinclair is fit to be a licensee at all, and not just a licensee of Tribune’s stations.” This is consistent with the Administrative Law Judge, appointed by then-Chairman Pai, who said that Sinclair’s misrepresentations “may be so fundamental to a licensee’s operation that it is relevant to its qualification to hold any station license.”

Question 33. In response to a QFR from Senator Sinema after your second nomination hearing, you said “copyright is outside the FCC’s jurisdiction.” However, copyright issues were central to two proceedings that you worked on under former FCC Chairman Wheeler—the set-top box proposal and the proposal to define online video distributors as MVPDs. Do you wish to retract or modify your statement that “copyright is outside the FCC’s jurisdiction” in light of these proceedings?

Answer. I stand by my statement. Copyright law is outside the FCC’s jurisdiction. Congress gave the FCC authority to regulate the video marketplace in various ways—to promote competition in video distribution and to ensure that cable set-top boxes are available on a retail basis from manufacturers who are not affiliated with cable companies. Video programming is protected by copyright law and some rightsholders who disagree with Congress’s choice to give the FCC limited jurisdiction over the delivery of video programming have argued that implementing Communications Act provisions would somehow conflict with copyright law. No court has ever made such a determination. The FCC’s efforts to ensure competitive delivery of video programming online no more conflicts with copyright law than the Commission’s earlier efforts to promote Direct Broadcast Satellite (DBS) programming delivery. And the Commission’s attempt to update its CableCARD rules to promote set-top box competition in light of marketplace changes no more conflicts with copyright law than the CableCARD rules themselves do.

While the Commission does not have jurisdiction over copyright law, it also does not have the ability to prevent companies from raising copyright issues as potential objections to its pro-competition mission. The Commission must give due weight to these concerns while continuing to carry out its statutory mission.

Question 34. Regarding the set-top box proposal—a rule you championed that would have required cable and satellite TV providers to make their TV channels and copyrighted content available to third party video device and software companies—many were concerned that the proposal would boost piracy and undermine content licensing agreements and the Register of Copyrights at the time stated that the proposal “raise[d] serious concerns as matter of copyright policy” and appeared to “inappropriately restrict copyright owners’ [rights over their works].” Do you still believe that the set top box proposal was the right approach?

Answer. The set-top box proposal was a rule championed by Chairman Wheeler and it was my job to support him in that effort. As you note, various parties raised copyright concerns and, as a result, the proposal did not move forward.

Question 35. Do you think changes in the marketplace and/or technology have rendered the set-top box proposal irrelevant and unnecessary?

Answer. I haven’t thought much about the set-top-box proposal since I left the FCC in 2016 and I don’t expect the Chairwoman to circulate such a proposal.

Question 36. Yes or no: If confirmed, would you oppose any attempt to bring back former FCC Chairman Wheeler’s set-top box proposal?

Answer. I haven’t thought much about the set-top-box proposal since I left the FCC in 2016 and I don’t expect the Chairwoman to circulate such a proposal.

Question 37. At your third nomination hearing, you testified that “the FCC doesn’t have jurisdiction over Google.” I am concerned that this suggests you are unaware of many of the FCC’s activities. Are you aware that the FCC issues FCC Registration Numbers (FRNs) to each of its regulatees?

Answer. Yes.

Question 38. Are you aware that Google now holds 12 FRNs?

Answer. I was not aware of the number of FRN’s Google holds, but I am not surprised.

Question 39. Are you aware that the FCC requires certain regulatees to register with USAC and file a Form 499?

Answer. Yes.

Question 40. Are you aware that Google has registered and filed the Form 499 for 4 separate entities (including for Google Voice, Google Hangouts, and Google Fiber Phone)?

Answer. I was not aware of how many Form 499s Google has filed, but I am not surprised.

Question 41. Are you aware that the FCC requires companies to acquire a license before transmitting on certain radio frequencies?

Answer. Yes.

Question 42. Are you aware that Google appears to hold 44 active spectrum licenses?

Answer. I knew Google held spectrum licenses, although I did not know how many.

Question 43. Are you aware that the FCC requires entities to apply for an experimental license before transmitting in certain circumstances?

Answer. Yes.

Question 44. Are you aware that Google has applied for 108 experimental licenses since 2011?

Answer. I assumed that Google has applied for/held experimental licenses, but I did not know how many.

Question 45. Are you aware that the FCC regulates wireless devices, like cellphones, and requires them to follow Federal rules before they may be imported into or marketed in the United States?

Answer. Yes.

Question 46. Are you aware that Google offers phones, like the Google Pixel, that must comply with these rules?

Answer. Yes.

Question 47. Are you aware that the FCC regulates undersea cables under the Cable Landing License Act?

Answer. Yes.

Question 48. Are you aware that Google has repeatedly applied for and received a license to land undersea cables in the United States through its wholly owned affiliate GU Holdings?

Answer. I was not aware.

Question 49. Are you aware that the FCC requires broadband providers to file certain deployment information with the Commission under the Broadband DATA Act?

Answer. Yes.

Question 50. Are you aware that Google Fiber is required to file such data?

Answer. Yes.

Question 51. Are you aware that the FCC's Internet Freedom transparency rule requires an Internet service provider to publicly disclose information about its network management practices, performance characteristics, and commercial terms?

Answer. Yes.

Question 52. Are you aware that Google Fiber is subject to this rule?

Answer. Yes.

Question 53. Are you aware that the FCC has an electronic comment filing system that provides access for regulatees and the public to file comments and ex partes in FCC proceedings?

Answer. Yes.

Question 54. Are you aware that Google has, on its own or in conjunction with others, apparently filed 1,291 comments or ex partes at the FCC since 2006?

Answer. I know that Google has been an active participant in FCC proceedings, but I did not know how many filings it has made.

Question 55. Do you wish to retract or modify your statement that "the FCC doesn't have jurisdiction over Google"?

Answer. When I made the statement "the FCC doesn't have jurisdiction over Google," I was responding to Senator Schmitt, who was attempting to make the case that I am closely aligned with Google and other "Big Tech" companies, despite my clear record of criticizing them for acting anticompetitively, violating consumer privacy and generally being too powerful. He said, in part:

"For example, Google censored Republican fundraising efforts and e-mail platforms. Google owned YouTube removed videos created by the Conservative Political Action Conference. Google altered search engine results related to an interview on the Joe Rogan podcast. In my previous job as AG, we filed a landmark lawsuit that exposed a lot of this that's been amplified by the Twitter files and then subject of a lot of the hearings that are happening over at the House."

Senator Schmitt was quite clearly talking about Google's online services and content, *e.g.*, its search engine, You Tube, Gmail, etc. It was in that context that I said that "the FCC doesn't have jurisdiction over Google," because it does not have jurisdiction over Google's online services and content.

I would be happy to modify my statement to say that "the FCC doesn't have jurisdiction over Google's online services and content."

Question 56. At your third nomination hearing, you testified that "the FCC doesn't have jurisdiction over Fox News." Yet, minutes later, you explained that "the de-platforming of Newsmax and OAN" is an "issue that is right in the FCC's wheelhouse" and "it's something that the FCC should investigate." Given your statement that the de-platforming of Newsmax and OAN is "something that the FCC should investigate," is it fair to say that you are aware that the FCC has jurisdiction—including investigatory powers—over matters involving the carriage of cable programming networks, such as Fox News?

Answer. Pursuant to 47 USC Sec. 536, The FCC's program carriage rules prohibit multichannel video programming distributors (MVPDs), like cable systems and satellite providers, from engaging in certain anticompetitive practices with regard to video programmers like Fox News, Newsmax and OAN. Thus, when the FCC investigates whether the program carriage rules are violated, it is doing so pursuant to its jurisdiction over MVPDs, not jurisdiction over video programmers like Fox News. Newsmax, OAN, and Fox News can file program access complaints at the FCC, but that doesn't make them subject to the FCC's jurisdiction.

Question 57. Are you aware that Fox News is subject to ongoing FCC regulation regarding consumer accessibility (*e.g.*, closed captioning and audio description), emergency alerts, and commercial loudness?

Answer. None of these regulations apply to cable networks like Fox News. Closed captioning, emergency alerts and commercial loudness apply to broadcasters, cable systems, satellite systems and other MVPDs. Audio description applies only to MVPDs and to television station licensees that are the largest network affiliates in the 80 largest markets.

Question 58. Are you aware that the Fox News Channel cable network is just one asset owned by Fox Corporation, which also owns the Fox Broadcasting Company and local FOX television stations, among other media outlets? Are you aware that these entities are regulated by the FCC?

Answer. I am aware that Fox Corporation owns Fox News Channel as well as Fox Broadcasting Company, the latter of which is regulated by the FCC. As former Fox lobbyist Preston Padden told this Committee in a letter dated January 30, 2023, "because Ms. Sohn fights for underdogs (which Fox certainly was in its early days), and because she saw the pro-consumer benefits of a fourth network, she was very helpful to our efforts to fend off fierce lobbying attacks from the three established networks and to secure the waivers that we needed."

Question 59. Do you wish to retract or modify your statement that "the FCC doesn't have jurisdiction over Fox News"?

Answer. No.

Question 60. You have offered evasive and conflicting statements regarding whether you support regulating the rates charged for broadband Internet access service. For instance, you have stated that the FCC should have the authority to require an ISP to provide a low-cost broadband service to low-income families² while simultaneously stating—both at your first two hearings and in questions for the record—that you do not think the FCC should set rates for broadband. For purposes of transparency, I'd like you to clarify what you meant by your previous statements that you oppose broadband rate regulation. Clarity is especially important since there are many ways the FCC could attempt to regulate rates beyond setting broadband rates on an *ex ante* basis. Please define what you meant by broadband rate regulation when you made your previous statements opposing broadband rate regulation. To better understand your interpretation of what counts as broadband rate regulation and the forms of rate regulation you would support or oppose, please provide yes/no responses to the following questions: Is your definition of broadband rate regulation limited to *ex ante* rate setting, or do you also consider *ex post* review of providers' broadband prices a form of rate regulation?

Answer. I cannot answer that question in the absence of specific facts and a full record. I cannot say unequivocally that I would or would not consider a certain regulation "rate regulation" simply because it is *ex ante* or *ex post*.

²<https://twitter.com/gigibsohn/status/1241484999326662660?s=20&t=jTZyvrZ97OpTgLmvkXGJPA>

Question 61. Yes or no: Would FCC declaring a broadband provider's rate unlawful on the grounds that it is not "just" or "reasonable" constitute a form of rate regulation?

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 62. Yes or no: Is the 2015 net neutrality order's mandate that broadband service providers provide free terminating access to edge providers a form of rate regulation?

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 63. Yes or no: If the FCC were to prohibit "zero-rating" by broadband providers, would that be a form of rate regulation? Please also indicate if you would support such a prohibition.

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 64. Yes or no: If the FCC were to prohibit broadband data caps, would that be a form of rate regulation? Please also indicate if you would support such a prohibition.

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 65. Yes or no: If the FCC were to require broadband providers to provide "wholesale" unbundled access to their networks, would that be a form of rate regulation?

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 66. Yes or no: Do you support requiring broadband providers to provide wholesale unbundled access to their competitors?

Answer. I cannot answer that question in the absence of specific facts. If I am confirmed and such an issue would come before the Commission, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 67. In 2020 California implemented a new rule precluding companies participating in the state's Lifeline program from charging low-income customers a co-pay for certain subsidized plans. Yes or no: Do you consider the prohibition on a co-pay in this context to be a form of rate regulation?

Answer. I am not familiar with the referenced California rule, so I am unable to provide an opinion.

Question 68. Yes or no: If the FCC were to require broadband providers to offer a specific cost tier, such as a low-income offering, would that be a form of rate regulation? Please also indicate if you would support such a requirement, and if so, how do you determine what a "low-income" price is without setting a rate.

Answer. As I responded to Senator Scott in the Questions for the Record from my February 2022 hearing and to questions at my two previous hearings, I do not think that the FCC should set rates for broadband—it is something that the agency has tried in the past with respect to cable and it was not successful. However, I do believe that the FCC should have the authority to require an ISP to provide a low-cost broadband service to low-income individuals and families, particularly if those ISPs obtain funding from the Federal government. It is well established that the Federal government can require public benefits in exchange for public funding. *Rust v. Sullivan*, 500 U.S. 173 (1991). What I have not called for is for the FCC to set

the rates for those low-cost tiers. If the Commission were to explore this issue, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 69. In response to Senator Thune, you said at the hearing that if Congress were to adopt bright line net neutrality rules—i.e., a ban on blocking, throttling, and paid prioritization—that you would find it to be inadequate for addressing net neutrality because you believe the FCC also needs to have general FCC oversight over broadband. Under your scheme, is there a limiting principle when it comes to the FCC's authority over broadband? If so, please explain it.

Answer. What I have said at all of my hearings is that I support Congressional efforts to give the FCC specific oversight authority over broadband and specific authority to adopt net neutrality rules. I believe that, in doing so, Congress ought to debate the limits of that authority, but that it should not leave the FCC without such authority.

The 2015 Open Internet rules, which I supported, placed very strict limits on the FCC's authority over broadband, forbearing from the vast majority of Title II of the Communications Act. Should the Chairwoman undertake such a proceeding again, I would look at the law and the totality of the record and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners and members of this Committee, about the proper scope of FCC authority.

Question 70. When asked about what harms resulted from the repeal of the 2015 Title II order, you have repeatedly cited the throttling of Santa Clara firefighters during the Mendocino complex fire. This claim has been widely debunked: Verizon's conduct wasn't prohibited by the 2015 rules, and you even stated in QFRs last year that the problem wasn't so much the lack of net neutrality rules but the "FCC's lack of oversight of broadband." Under what specific part of the 2015 rules would the FCC have had authority to seek recourse against Verizon?

Answer. As I said in my December 8, 2021 Questions for the Record in response to a question from Senator Lee, the repeal of the 2015 Open Internet Order, including the FCC's relinquishment of its oversight over broadband, impacted the Santa Clara County Fire Department because the Fire Department had no recourse when its broadband was throttled. Indeed, it was a seven-month dispute over a data plan that impacted the Fire Department's ability to communicate with other public safety entities and the public. But the Fire Department had no government entity that it could turn to for a resolution of the dispute. Indeed, neither the FCC nor the FTC publicly offered its help to resolve the matter after it became national news. The FCC's lack of oversight of broadband was more the cause for this situation than the lack of bright line net neutrality rules.

While I did surmise that the general conduct standard *might* have been a tool to resolve this matter, I have been critical of the general conduct standard in the past. In an October 2020 paper, I stated that the general conduct standard was "too vague and complicated" and urged that it be replaced with a simple "unreasonable discrimination" standard similar to that adopted by the FCC in 2011.

Question 71. You have previously stated that the 2015 Title II order did not go far enough. Please specify the ways in which you would have gone further than the 2015 rules. You testified that your vote is needed at the FCC to reform the Universal Service Fund ("USF"). Please detail with specificity how you would propose to reform USF.

Answer. I supported the 2015 Open Internet Order in its entirety. In an October 2020 academic paper, I said the FCC should reinstate its authority to oversee the broadband market, and if it did so, then it should not forbear from two provisions that it had previously, Sections 251(c)(3) (unbundling) and 254 (universal service). But that was over two years ago, and my positions are always evolving because of changes in technology, how consumers use the Internet, and business practices. Regardless, whatever I said in an academic paper would have no bearing on any future proceeding the Chairwoman might start and, if I am confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

I do not have an exact prescription for reforming the Universal Service Fund. I testified at my December 2021 hearing that the contribution mechanism should be fixed and I also said then that I was open to any and all solutions.

Question 72. Section 60506 of the IIJA mandates that the FCC issue rules by November 15, 2023 to "facilitate equal access to broadband Internet access service, taking into account the issues of technical and economic feasibility presented by that objective, including . . . preventing digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin." Notably, the statute defines

“equal access” to mean the “equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions.” Despite the narrow statutory role carved out for the FCC here, some have raised the concern that a far-left FCC could attempt to use this language to exercise unprecedented authority over the broadband market—even beyond the 2015 Title II rules. In a recent Notice of Proposed Rulemaking, the FCC floated using the provision to impose broadband rate regulation and interrogate providers’ business practices under a “disparate impact” standard. The Commission is also considering both adopting a private right of action and enabling state attorneys general to bring lawsuits to enforce the law. Given that the statute only speaks of “terms and conditions” but omits mention of “rates,” do you think section 60506 gives the FCC authority to regulate or review rates charged by broadband service providers, either on an ex ante or ex post basis?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 73. Given that the statute refers to “equal opportunity” not “equal outcome,” do you think section 60506 gives the FCC authority to use a disparate impact standard to measure digital discrimination rather than a disparate treatment standard?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 74. Given that the statute defines equal access to only mean “equal opportunity to subscribe to an offered service . . . in a given area,” do you think that section 60506 gives the FCC authority to review the deployment decisions of broadband Internet access service providers?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 75. Do you think section 60506 gives the FCC the authority to create a private right of action to enforce FCC rules?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 76. Do you think section 60506 gives the FCC the authority to authorize state and local enforcement of its rules?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 77. Do you think section 60506 gives the FCC jurisdiction over other parts of the digital marketplace, such as Internet content, apps, and devices?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 78. Do you think section 60506 gives the FCC authority to create new subsidy programs for devices like laptops, tablets, and smartphones?

Answer. The Commission has opened the required rulemaking proceeding regarding digital discrimination. If confirmed, I would look at the totality of the record and the law and come to a conclusion with input from stakeholders, my staff, my fellow Commissioners, and the members of this Committee.

Question 79. You testified that the opposition to your nomination is due to “regulated entities” that oppose you. As discussed during your hearing, multiple law enforcement organizations oppose your nomination. Yes or no: do you believe these law enforcement organizations are surrogates for “regulated entities”?

Answer. I do not know what has motivated these organizations, particularly because the issues on which they oppose me (EFF’s support of end-to-end encryption and Edward Snowden’s behavior) are not issues within the FCC’s jurisdiction and are also not issues that I have spoken about publicly. Jim Pasco, the Executive Director of the Fraternal Order of Police, admitted that encryption is not within the

FCC's authority when he told NBC News that "if the FCC *had* a role [with regard to encryption], we would certainly be alarmed if she was part of that role."³

Question 80. The Coalition of Large Tribes has said that in their personal interactions with you while you were at the FCC, "[s]he offended many of us with her abrupt and disrespectful approach responding to criticism of Tribal representatives trying to raise concerns in FCC consultations. Quite frankly, her behavioral toward Tribal leaders was unacceptable." Do you believe these concerns are disingenuous?

Answer. This accusation lacks specifics and appears to have no grounding in fact. I have no recollection of ever participating in a tribal consultation when I was at the FCC.

In any event, two of COLT's members have publicly supported my confirmation: the Navajo Nation and the Northern Arapahoe Tribe. I was told that those organizations did not participate in the decision to send this letter because they had already publicly supported me. Similarly, the Chairman of COLT, who is the President of member Oglala Sioux Tribe, did not participate in the decision because we know each other as Open Society Foundation Leadership in Government Fellows. I do not know whether the Ft. Belnap Indian Community, which has publicly opposed me, participated in the decision.

Question 81. You testified that you are baffled by law enforcement's strong opposition to your nomination because "it is nothing I would really ever deal with at the FCC." Even putting aside online activity on defunding the police and retweeting a tweet that called Federal law enforcement officers "armed goons in riot gear with tear gas," do you acknowledge that FCC rules directly intersect with the role of law enforcement in several key areas, including (1) CALEA regulations, which enable law enforcement to conduct lawful interception of communications over broadband and telephone networks, (2) Next Generation and Enhanced 911 calling, for which the FCC continues to develop rules to ensure that public safety can keep pace with technological developments, and (3) an increasing FCC role in ensuring the cybersecurity of communications networks, including coordination with law enforcement agencies?

Answer. When I said that "it is nothing I would really ever deal with at the FCC," I was referring to the substantive issues that the law enforcement organizations have raised as reasons for opposing me, that is, EFF's support for end-to-end encryption and Edward Snowden's leak of classified materials. Neither of these are issues within the FCC's jurisdiction and are also not issues that I have spoken about publicly. Jim Pasco, the Executive Director of the Fraternal Order of Police, admitted that encryption is not within the FCC's authority when he told NBC News that "if the FCC *had* a role [with regard to encryption], we would certainly be alarmed if she was part of that role."⁴ Moreover, I don't agree with every position EFF takes, and there are some issues that it works on that are not in my areas of interest. In any event, the Board does not make policy for the organization.

The law enforcement organizations did not say anything about my active participation in the public safety issues over which the FCC does have jurisdiction, like Next Generation 911, text-to-911, network resiliency and unimpeded public safety access to communications networks. For those issues, I have the support of former FCC Public Safety and Homeland Security Bureau Chiefs and NENA: the 911 Association.

As I testified at my last hearing—I made no statements of my own in the handful of tweets highlighted by the Fraternal Order of Police. They were mostly likes and retweets of others protesting police brutality, militarization of the police, and unfair treatment of peaceful protesters made around the time of George Floyd's killing. The two that mentioned "defunding the police" were explanations of the term, not an exhortation, and as I testified, I don't agree with the sentiment. The tweets also referred to specific instances of abuse—I don't believe that all law enforcement should be blamed for the bad actions of others. I have worked—and continue to work—with law enforcement in my work and my personal capacity.

Question 82. Please describe with particularity the process by which you answered these questions for the record, including identifying who assisted you in answering these questions along with a brief description of their assistance.

Answer. I answered these questions using transcripts and Questions for the Record from my previous two hearings. For those questions requiring answers on policy, I researched them myself. Lori Maarbjerg of the FCC assisted me with these

³ Kevin Collier and Jason Abbruzzese, *Smear campaign targets nominee who would be FCC's first openly gay commissioner*, NBC News, found at <https://www.nbcnews.com/tech/tech-news/fcc-gigi-sohn-nomination-turns-ugly-rncna68224>.

⁴ *Id.*

questions—reviewing my answers, editing them for clarity, and formatting the document.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO
GIGI B. SOHN

Question 1. In your recent nomination hearing, when asked about the Inspector General's 2016 report regarding your role in the leaking of information to reporters, you testified that: "The only reason I was asked to call Politico was because the meeting kept getting delayed and delayed and delayed. And we were just getting inundated with calls." That testimony is false, correct?

Question 2. The Inspector General's 2016 report found that you called a reporter at Politico at 10:13 am, which was before the scheduled 10:30 am start time of the FCC meeting. Your testimony that you only called the reporter "because the meeting kept getting delayed" is not true, correct?

Question 3. In fact, the Inspector General's 2016 report specifically stated that you called the reporter to inform her "that there was a compromise on Lifeline, including the fact that there would be an annual cap on the amount of money available in the Lifeline program," among at least one other purpose. So, contrary to your testimony, the evidence shows that you did not call the reporter only "because the meeting kept getting delayed and delayed and delayed," correct?

Answer to Questions 1–3. Given that all three of your questions are asking the same thing, I have chosen to consolidate my answer. I don't agree that my testimony was false. To the extent that you would like to quibble with the words that I used, perhaps I shouldn't have said "only" when I chose to clarify why I was asked to call the Politico reporter, although as you note, I also said "we were just getting inundated with calls." As noted in the Office of Inspector General memo regarding the matter, I was asked to contact the Politico reporter because the Office of Media Relations was getting inundated with calls from reporters, the meeting was being delayed to 12:00 PM, and the Chairman authorized the disclosure of certain facts regarding the situation in order to provide the context for the delay of the meeting. My recollection of the event was that there were multiple delays and, as noted in the OIG memo, the meeting began at approximately 2:00 PM. So while I was not as precise as I should have been in saying that when I made the 10:13 phone call the meeting "kept getting delayed and delayed and delayed," it already had been delayed once and it would be delayed at least several times more afterwards.

However, I believe that it is important to note two additional things that are contrary to the assertions that you made at the hearing which directly relate to the specific concerns that you had back in 2016. First, as the Office of Inspector General found, there was no "leak" of nonpublic information because the Chairman's authorization to disclose the information made it public information. Second, the Office of Inspector General specifically concluded that "we found no evidence that the information was provided to the press in an attempt to unduly influence the outcome of the vote."⁵

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER WICKER TO
GIGI B. SOHN

Question 1. Ms. Sohn, can you explain why you cannot be viewed as impartial on proceeding concerning retransmission consent or television broadcast copyright issues?

Answer. I have not said that I "cannot be viewed as impartial" in proceedings concerning retransmission consent or television broadcast copyright issues. I voluntarily recused myself from those issues for portions of my term, if I am confirmed, "to avoid any appearance of impropriety and in the interest of ensuring that the public has full confidence that policymakers will make decisions free of bias." I did so to address specific concerns from a number of Committee members about my membership on the Sports Fans Coalition New York, Inc. (SFCNY) Board, which oversaw Locast's operations.

Question 2. Ms. Sohn, as you are likely aware, we have 4 new members on this committee. In the updated questionnaire you submitted to the committee, you failed to mention your voluntary recusal as a conflict of interest. Do you agree this omis-

⁵See Memorandum to David L. Hunt from Jay C. Keithley, re: Lifeline Disclosure (September 23, 2016) at page 10.

sion, whether intentional or careless, misleads our new members of an issue that is a serious concern regarding your nomination?

Answer. No, I do not agree. I have never claimed, nor did the FCC's ethics officials determine that my membership on the SFCNY Board presented a conflict of interest. 18 U.S.C. Sec. 208(a) defines a conflict of interest as one where a person has a "financial interest directly and predictably affected by [a] matter." Neither my membership on the SFCNY Board nor my recusal involves any financial interest. Moreover, neither the Office of Government Ethics nor the FCC's Office of the General Counsel believe my involvement with Locast creates a conflict of interest.

In any event, it appears that the voluntary recusal was already known to at least some of the new members of the Committee prior to my hearing. When I met with Senator Budd on February 10, he asked me questions about the scope of my recusal agreement.

Question 3. During your last nomination hearing, you stated that you were unable to answer questions concerning the Locast settlement because you were bound by a confidentiality agreement. You stated that "If asked by the media or press about the agreement," you "may only state that the litigation is over and refer the person inquiring to the order." Again, you were not prohibited from answering questions before the Commerce Committee. But in your written responses to Questions for the Record submitted to you by members of the committee, you did not adhere to the language outlined in the confidentiality agreement. Can you explain why you failed to comply with the agreement?

Answer. During my last nomination hearing, I stated that I was unable to answer questions concerning the confidential Locast settlement agreement *in writing*, in the Questions for the Record from the first hearing. That is because the confidentiality provision of the Settlement Agreement says that:

"No Party will communicate or authorize anyone to contact or communicate with the media or press (orally, in writing, or otherwise) concerning the Agreement or the Order, or issue any press release or *other written statement disclosing the terms of the Agreement*. If asked by the media or press about the Agreement, a Party or its counsel may only state that 'The litigation is over' and refer the person inquiring to the Order." [emphasis mine]

As advised by counsel, I was prohibited by the terms of the Settlement Agreement from issuing to the media *or to anyone else* any "other written statement disclosing the terms of the Agreement." That clause is not limited only to the press. Therefore, in response to the written questions I received from the Committee, I could not disclose the terms of the Agreement.

Moreover, neither you nor Senator Sullivan ever asked me for the specifics of the Settlement Agreement. Had that been the case, I would have said in writing "the litigation is over." Instead, you asked me where the money for the settlement was going to come from, and I answered honestly, "[t]he settlement funds come from amounts collected to fund SFCNY operations after SFCNY pays its vendors."

You and Senator Blunt asked me for a copy of the Settlement Agreement, and I referred you to the parties to the litigation for that document. Again, you did not ask me to divulge the terms of the Agreement.

Question 4. On December 22, I sent a bi-partisan letter to Chairwoman Rosenworcel and Assistant Secretary Davidson of the FCC and NTIA. The letter asked for the challenge period to submit location and availability challenges to the FCC's broadband maps to be extended. Congress directed the FCC and NTIA to improve the broadband maps to identify served and underserved areas.

a. Ms. Sohn, would you explain the important role the FCC National Broadband Map will serve to expand high-speed Internet access to Americans?

Answer. The FCC's National Broadband map is critically important, as it will determine how the \$42.5 billion Broadband Equity Access and Deployment (BEAD) funding will be allocated to each of the states. If the map is inaccurate, certain states will lose money they need and deserve to ensure all of their residents have broadband access, while others will be unjustly enriched.

b. Do you agree that extending the challenge process would allow for more challenges to be submitted and lead to a more accurate broadband map?

Answer. Extending the challenge process for the preliminary map would allow for more challenges to be submitted. Whether it would lead to a more accurate broadband map would depend on how long the extension is.

c. Do you agree with the FCC's decision to not extend the FCC National Broadband Map challenge process?

Answer. The FCC is trying to strike a balance. On the one hand, states are understandably unhappy about the short time period that they received to make chal-

lenges and that the FCC's rules favor broadband providers in the event of a dispute. On the other hand, the areas that the BEAD program will fund are already way behind, so there is a countervailing desire to provide the states with the BEAD money as soon as possible. Unless NTIA extends its date for allocating the BEAD funds to the states, the FCC's hands are tied.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARSHA BLACKBURN TO
GIGI B. SOHN

Question 1. You founded Public Knowledge and have also been associated with other groups, including the Electronic Frontier Foundation and the Mozilla Foundation, which have received hundreds of thousands of dollars in donations from Big Tech companies and groups that represent them. For example, Public Knowledge, which you founded, has taken substantial sums of money from Google, Amazon, Facebook, and Apple. Several Big Tech-affiliated groups have also publicly endorsed your nomination for Commissioner. I am very interested in your association with some of these companies.

a. Have you ever worked on projects on behalf of Big Tech companies or their associations or coordinated on efforts with them?

Answer. I have never worked on projects specifically because they would benefit big tech companies. When their interests aligned with Public Knowledge's, we did work together. Over the past five years, as the companies have grown bigger and more powerful, our interest have aligned much less, and other than agreeing that the FCC has no authority to interpret Section 230 of the Communications Act, I can't think of anything we've worked on together since then.

b. Since you left the FCC, have you taken any money from Big Tech companies or their associations to fund your work?

Answer. No.

c. Do any of the Big Tech companies provide funding to the Benton Foundation, where you are currently employed as a fellow?

Answer. To be clear, I am not an "employee" of the Benton Institute for Broadband and Society. I am a consultant with the title Senior Fellow and Public Advocate. It is my understanding that Benton received a one-time contribution from Google Fiber for its 40th anniversary celebrations in Chicago and Washington, DC in 2022.

Question 2. In 2016, while you were an employee at the FCC, the agency's Inspector General cited you in a report stating that you leaked non-public information about a deal the agency was working on to Politico. You stated at your hearing that this leak was authorized by former Chairman Wheeler.

a. In your nomination questionnaire, this report is not mentioned. In fact, when asked if you have ever been "cited for a breach of ethics," you answered "no." Did you disclose this report to the Committee when you were vetted for this role?

Answer. To be clear, I did not "leak" non-public information. The Inspector General found that when Chairman Wheeler authorized me to tell Politico that there was a compromise with a cap on Lifeline, that information became public. I was not "cited for a breach of ethics," the Office of Inspector General found no wrongdoing on anybody's part in the incident. Therefore, there was no reason for me to mention this report, which has been public for over 6 years.

b. Did you disclose this report to the White House?

Answer. I don't recall what question the White House would have asked that would have required me to disclose it, but since I wasn't "cited for a breach of ethics," did not have a complaint filed against me, and was not found to have committed any wrongdoing, I don't know why I would have disclosed it to the White House.

c. You would obtain a high-level security clearance if confirmed to be a Commissioner. Do you disagree that leaking non-confidential government information—especially for strategic purposes—raises ethical concerns and concerns about your fitness to hold such clearances?

Answer. I did not "leak" information of any kind. Chairman Wheeler authorized me to tell Politico that there was a compromise with a cap on Lifeline, and once he did, that information became public. Given the facts of the situation, I do not believe that there are any ethical concerns about my fitness to hold any security clearances.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. SHELLEY MOORE CAPITO TO
GIGI B. SOHN

Question 1. In 2020—you said in testimony before the House: “While policymakers have focused disproportionately on broadband deployment in rural areas of the United States—Americans who live in cities also face enormous challenges to broadband connectivity”—And—“The country’s broadband adoption problem is three times higher in urban areas than rural.” For the more than 30 percent of West Virginians who lack access to broadband connectivity—do they have a broadband adoption problem or a broadband deployment problem? Can people adopt what has not yet been deployed?

Answer. As I write this, I am sitting in Davis, West Virginia, and I have felt firsthand the deployment problem in the state. I do not know what West Virginians adoption problem is, because the FCC does not collect that kind of data, although I believe it should. Regardless, my testimony has been taken out of context to make it sound like I do not support more deployment of rural broadband. Nothing can be farther from the truth. In my last public speech, to the Association of Public and Land Grant Universities, I criticized the Federal government for not doing *enough* to ensure that rural America is served with robust and affordable broadband. And I have been critical of carriers who have taken billions of taxpayer dollars and then don’t build what they have promised. I have support from President Trump’s and President George W. Bush’s Rural Utilities Service Administrators, as well as NTCA—Rural Broadband Association, the Rural Wireless Association and WTA: Advocates for Rural Broadband.

Just this week, I met with the Speaker of the West Virginia House of Delegates and the Chair of the Technology and Infrastructure Committee of the House of Delegates to talk about how we might work together to ensure that West Virginia receives the benefits of broadband the state so richly deserves.

Question 2. Ms. Sohn, I understand that the FCC is not the primary agency involved in NEPA permitting—but as a larger philosophical question—if the goal is deploying broadband as quickly as possible to all Americans—why not provide a categorical exclusion from NEPA for all broadband projects?

Answer. I would need to know a lot more about NEPA permitting for me to answer this question intelligently. If I am confirmed, I look forward to working with you on this issue.

Question 3. Ms. Sohn, how do we speed up deployment in my state of West Virginia to hit 100 percent served?

Answer. As I said in my December 8, 2021 Questions for the Record, we need a coordinated and cooperative approach among federal, state, and local officials and interests to ensure that every West Virginian has the ability to access a robust, scalable, broadband network and the means to purchase that service, which is so critical to meeting their daily needs. If confirmed, I am committed to working with federal, state, and local partners to meet West Virginia’s needs.

Question 4. Ms. Sohn, what can the FCC do to ensure Universal Service Fund support recipients are qualified and deserving of the funding they receive?

Answer. As I said in my December 8, 2021 Questions for the Record, in my opinion the FCC must take four steps to ensure that recipients of USF support are qualified and deserving of the funding they receive. First, the FCC must conduct serious due diligence to ensure that possible recipients have the technical, operational, and financial expertise to build the promised networks. Second, the FCC must conduct oversight to ensure that the promised networks are being built. This includes not only requiring progress reports from the recipients, but actually visiting the sites where networks are being built. Third, the FCC must hold those who do not build promised networks accountable. This accountability must include more than fines—it must include requiring a defaulting entity to remit the USF funds and prohibiting that entity from participating in the next round of funding. Fourth, the FCC must coordinate with NTIA, USDA, and other agencies that fund broadband to ensure that the programs are complementary, consistent with the law, and to direct funding to appropriate areas without unnecessary duplication.

Question 5. Ms. Sohn, Big tech makes a lot of money off advertising over broadband networks. What are your thoughts on requiring them to help pay for the deployment of high-speed broadband?

Answer. As I said in my December 8, 2021 Questions for the Record, I agree that the USF contribution mechanism needs reform. Now that the Commission has completed the report to Congress required by Section 60104 of the IIJA to evaluate how the funds in the infrastructure bill impacts the USF debate can start on how to move forward—whether it is in the Congress or at the Commission—to determine

the appropriate solution, but all options should be on the table. Some of those options, including requiring Big Tech to pay into the universal service fund, would necessitate Congressional action to give the FCC the authority to require them to pay.

Question 6. Ms. Sohn, what are your thoughts on expanding the USF contribution pool to all broadband providers?

Answer. I agree that the USF contribution mechanism needs reform. Now that the Commission has completed the report to Congress required by Section 60104 of the IIJA to evaluate how the funds in the infrastructure bill impacts the USF, debate can start on how to move forward—whether it is in the Congress or at the Commission—to determine the appropriate solution, but all options should be on the table, including expanding the USF contribution pool to all broadband providers.

Question 7. Ms. Sohn, what price point do you consider Internet to be affordable?

Answer. I don't have an answer to that question. To the extent that the Chairwoman starts a proceeding that requires that question to be answered, I would look at the law and the totality of the record and make a decision, with input from stakeholders, my staff, my fellow Commissioners and members of this Committee.

Question 8. Ms. Sohn, what are your thoughts on the progress of updating the FCC broadband maps? How do we keep them up to date?

Answer. Progress is being made, but I understand it is taking longer than many state officials, including West Virginia state officials, would prefer. If I am confirmed I would work with the Chairwoman and the states to find creative ways to improve the maps before the BEAD allocations are made at the end of June and also going forward.

One way to improve the maps are to make sure that the FCC has the ability to verify coverage and hold carriers accountable when they overstate coverage. There have been no fewer than three news articles⁶ in the past few weeks of carriers purposefully overstating their coverage. The FCC needs a full slate of Commissioners to deter conduct like this in the future.

Question 9. Ms. Sohn, unlicensed and shared spectrum is crucial to advancing innovation and entrepreneurship. What's next from your perspective in supporting innovation in unlicensed and shared bands?

Answer. Unlicensed and shared spectrum access have been very successful spectrum access regimes the Commission developed to promote innovation and entrepreneurship. Unlicensed spectrum has allowed technologists to innovate for decades, bringing about Wi-Fi and Bluetooth connectivity as well as the full range of consumer and business devices that rely on those technologies.

The Citizens Band Radio Spectrum (CBRS) band, which became operational in 2020, has already demonstrated the broad range of entrepreneurial applications it can support. It has been put to use by businesses to assist in tracking inventory, provide secure communications, supplement Wi-Fi connectivity, and collecting data to promote greater efficiency. It has also been used by schools, libraries, Tribal entities and rural communities to provide broadband connectivity.

These two spectrum access regimes are also used by providers of mobile service to aid in their traffic management and to ensure their customers have robust connectivity. In short, unlicensed, shared, and licensed access to spectrum helps promote a healthy ecosystem that benefits all consumers.

Question 10. Ms. Sohn, many communities in my state, have had to forego other Federal funding opportunities that would allow for more rapid broadband deployment to unserved areas because certain census blocks were included in an RDOF bid. What are potential Federal remediation efforts for rural areas in my state that were included in an RDOF census block but are also eligible for other types of Federal support?

Answer. As I said in my December 8, 2021 Questions for the Record, the decision by the FCC under the former Chairman to restrict access to other funding streams for participants in the RDOF program has perplexed me. The goal is to get people connected to this essential service and to do so quickly. If confirmed, I look forward to working with my colleagues on this and related issues.

⁶See Jon Brodkin, *Starlink, Verizon, and T-Mobile made shaky claims on FCC coverage map*, Ars Technica, Feb. 13, 2023, found at <https://arstechnica.com/tech-policy/2023/02/starlink-verizon-and-t-mobile-made-shaky-claims-on-fcc-coverage-map/>; Jon Brodkin, *Comcast gave false map data to FCC—and didn't admit it until Ars got involved*, Ars Technica, Feb. 9, 2023, found at <https://arstechnica.com/tech-policy/2023/02/comcast-gave-false-map-data-to-fcc-and-didnt-admit-it-until-ars-got-involved/>; and Jon Brodkin, *ISP admits lying to FCC about size of network to block funding to rivals*, Ars Technica, Feb. 2, 2023, found at <https://arstechnica.com/tech-policy/2023/02/cable-company-tries-to-block-grants-to-rivals-by-lying-about-coverage-area/>.

Question 11. Ms. Sohn, the FCC, NTIA, and USDA all entered into an interagency agreement to coordinate broadband funding deployment. In your experience—can you speak to the effectiveness of these interagency agreements? Do you have thoughts on how to beef up coordination between agencies to ensure the efficient use of taxpayer money to deploy broadband in West Virginia?

Answer. I believe that the May 2022 Memorandum of Understanding between the Commission, NTIA, USDA, and the Treasury Department regarding information collection and sharing is important. The agencies need to be in frequent contact so there is as much coordination as possible to ensure that the Federal funds allocated for broadband deployment are spent efficiently and provide the intended results.

Question 12. Ms. Sohn, what are your thoughts regarding tech neutrality in terms of Federal dollars being spent?

a. Is there a particular form of broadband delivery that should take priority?

Answer. As I said in my December 8, 2021 Questions for the Record, the objectives of the Infrastructure Investment and Jobs Act (IIJA) lays out that Congress wants broadband infrastructure that can “easily scale,” “meet the evolving connectivity needs of households and businesses,” and “support the deployment of 5G, successor wireless technologies, and other advanced services.” I believe infrastructure that meets the objectives Congress laid out in its infrastructure program should take priority.

In order to make these assessments, it is critical for the Federal government rely on objective technical analysis by engineers to ensure the best use of Federal funds to maximize long term value to communities. Many Members of Congress, led by Senators Thune and Klobuchar, have weighed in with the FCC to improve its assessments of projects that seek Federal dollars and to scrutinize the technical capabilities of applicants before Federal dollars are given out. I completely agree.

Question 13. Ms. Sohn, what role do you see low earth orbit satellite constellations playing in the short term and long term as far as providing sufficient service in a mountainous and heavily forested state like West Virginia?

Answer. As I said in my December 8, 2021 Questions for the Record, the purpose of lowering the orbit of these satellites was to improve the latency of satellite broadband delivery. However, the drawback of this approach is that it requires the base station to “see” the satellite at a lower point on the horizon. This means that mountainous and heavily forested areas—like those in West Virginia—are more difficult for base stations to operate as opposed to more open and flatter rural areas. However, I remain confident that the Federal investment in infrastructure under the Infrastructure Investment and Jobs Act makes traditional on the ground infrastructure feasible even in the most difficult to serve areas.

Question 14. Ms. Sohn, the Internet ecosystem continues to grow, with more broadband providers who are also recipients of government broadband funding. This trend is likely to accelerate considerably as NTIA and the states begin the award infrastructure funds for broadband network deployment. However, the recipients of government funding can be subject to vastly different regulations depending on their characterization or their historical designation as an incumbent LEC—e.g., pole rates, labor requirements, tax laws, service requirements, legacy telephone obligations, and legacy cable obligations. These varying regulations have real impacts on their deployment, operating costs, and competitiveness. Should the government create more parity amongst the recipients of government funds in the interest of facilitating network modernization, broadband deployment, and creating a more competitive market?

Answer. As I said in my December 8, 2021 Questions for the Record, I believe that the FCC should do what it can under the law to create parity and ensure that robust, scalable broadband networks are deployed and available to every consumer and business across the Nation. However, there may be limitations to what the FCC can achieve without Congress addressing some of the disparate requirements. For example, Section 224 of the Communications Act grants access to poles in certain situations but does not apply uniformly to all poles across the Nation. Moreover, the provision that grants access to certain poles is currently limited to only telecommunications carriers and cable providers. The FCC currently is limited in its pole attachment jurisdiction to ensure broadband deployment across the nation, and if confirmed, I would very much look forward to working with you and your office to further engage on this issue.

Question 15. How can the Committee be assured that you will adhere to your voluntary recusal commitment if it is non-binding?

Answer. I intend to adhere to my voluntary recusal commitment. It is possible, although unlikely, that the General Counsel will authorize me to participate in a proceeding covered by my voluntary agreement. However, I will note that Chairman

Kennard was not accused of violating the terms of his voluntary recusal from a fairness doctrine-related docket when the General Counsel authorized him to participate in that docket.

Question 16. What are your views on symmetrical Internet speeds? Does raising the required broadband speed for Federal funding hurt Federal funding for rural areas in any way?

Answer. Generally, symmetrical speeds are preferable to allow both downloading and uploading of large files, although I understand such speeds are not always possible in some of the most remote areas of the country. The IIJA sets a minimum speed of 100/20 for carriers to obtain funding. I think this helps, rather than hurts, rural areas because it levels the playing field between urban and rural areas with regard to broadband speeds and robustness. For too long, rural areas have been stuck with slow and expensive Internet access. The IIJA rightfully seeks to fix that.

Question 17. Ms. Sohn, what do you see as the happy medium between pole owners and those seeking to get access to poles to deploy broadband in rural areas?

Answer. I agree with Chairwoman Rosenworcel that it is essential for the Commission to have pole attachment policies in place that help to facilitate—and not impede—broadband deployment, particularly in rural areas. The Commission has the authority under Section 224 of the Communications Act to regulate the rates, terms, and conditions of pole attachments. The Commission recently sought further comment on issues related to pole replacements, including how utilities and pole attachers must share the cost of pole replacements. The Commission also sought comment on what reforms it could adopt to avoid disputes or resolve disputes more quickly. If I am confirmed, I look forward to learning more about this issues and working with your office.

