## Gigi Sohn for A Proactive, Consumer-Focused Federal Communications Commission

On January 3, 2023, President Joe Biden renominated Gigi Sohn to fill the fifth seat at the FCC. The five-member commission has been deadlocked at 2-2 since the departure of former FCC Chair Ajit Pai in January 2021. The agency has a tremendous amount of work before it, and leaving it less than fully operational limits its capacity to most effectively and proactively:

- Finish updating the FCC's broadband maps to ensure equitable allocation of the billions of dollars appropriated by Congress in the bipartisan infrastructure law;
- Restore the agency's authority to regulate broadband under Title II of the Communications Act and restore Net Neutrality protections;
- Strengthen Lifeline and the ACP, programs created to ensure low-income people can afford communications services;
- Create rules to ensure our nation's communications networks are more reliable and resilient to natural disasters, the climate crisis, and other threats;
- Combat "junk fees" that plague consumer internet and phone bills and successfully implement the broadband nutrition label to ensure telecom consumers avoid surprise fees and understand what they're paying for;
- Create robust rules to combat digital discrimination that leave low-income neighborhoods and communities of color with subpar internet service;
- Halt monopolization within the broadcast and telecommunications sectors.

The Senate must provide the FCC with a governing majority by confirming Sohn without delay.

### Background

- Sohn has more than 30 years of experience working on communications policy, and she has a
  demonstrated track-record of bringing together varied stakeholders in bipartisan coalitions to fight for
  equitable broadband policy, consumer protections, competition and the open internet. Her experience
  would make her an asset at the agency as it works to implement the mandates of the Infrastructure
  Investment and Jobs Act.
- She served as a top aide to FCC Chairman Tom Wheeler. During her time at the agency, the FCC adopted the only Net Neutrality rules that have withstood legal challenges to their statutory authority, modernized the Lifeline program, adopted strong privacy rules for broadband providers and more.
- Sohn helped found and lead a non-profit focused on promoting an open and competitive communications and technology market.
- Since her initial nomination in 2021, Sohn has been the subject of a bigoted and vicious smear campaign that has resulted in a historic delay in her confirmation. This has been to the benefit of telecommunications firms, broadcasters and other entities regulated by the agency and to the detriment to working families trying to pay rising monthly bills and those in Black, Indigenous, Latinx and rural communities that the biggest phone and cable companies have long exploited and neglected.

#### Support

• More than 400 institutions and individuals — including leading civil rights, community media and media justice organizations, digital navigators, workers rights and consumer advocacy groups, tribal and local governments, companies and trade associations — from across the political spectrum have sent letters to the Senate and publicly called for her swift confirmation.

- More than 163,000 people have <u>signed petitions calling</u> for Sohn's confirmation since her initial nomination in October 2021.
- Almost a <u>quarter million activists have</u> called for the FCC to gain a governing majority since January 2021.

## **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, Affrilachian 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

## **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

Citizens 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

Community Media Access Collaborative Community Media Center Of Marin

Community Tech Network

CompTIA

Computer & Communications Industry Association

(CCIA)

Computer Reach

Connect Your Community Institute

Connecting Appalachia

ConnectMaine

Consumer Technology Association (CTA)

Consumers for Safe Cell Phones

The Cooperative Baptist Fellowship of Mississippi

CoSN

Council for Global Equality Crescent City Media Group

Crown Castle

CSM Consulting, Inc.

Daily Kos

Davis Media Access
Decode Democracy

Defending Rights & Dissent Demand Progress Action

Democracy for America

Derry Community Access Media

Detroit Community Technology Project

Digital Connect Initiative Digital Defense Fund Digital Equity Institute

Digital Equity Learning Network of King County

Digital Equity Research Center

Digitunity DISH

**Duluth Public Access Community Television** 

E-Rate & Educational Services, LLC

E-Rate Central
E-RATE ONLINE

E2D, Inc.

East Area Progressive Democrats, Veterans Committee

**Economic Security Project Action** 

Education SuperHighway

**Educational Consulting Associates** 

Educational Professional Services

**Electronic Frontier Foundation** 

Electronic Privacy Information Center (EPIC)

**EMF Safety Network** 

Engine

**Environmental Working Group** 

Equality California
Equality Federation
Equity Initiative
EveryLibrary Institute

EveryoneOn

EYEJ: Empowering Youth, Exploring Justice Falmouth Community Television Corp, Inc.

Families Advocating for Chemical and Toxics Safety

Family Equality FC Public Media

Feminist Majority Foundation Fiber Broadband Association (FBA)

FiberComm

Fight for the Future FirstLight Fiber

Framingham Public Access Corporation

Free Press Action
The Freedom BLOC

FREE! Families Rally for Emancipation and

Empowerment
Friends of Makakilo
Friends of the Earth
Friends Of Waimānalo

Front Porch Fuse Media Fuse.Cloud

Future of Music Coalition

Gila River Telecommunications, Inc.

GLAAD

GLBTQ Legal Advocates

GLSEN

Golden Frog, GmbH

Granby Community Access and Media, Inc.

Granite Telecommunications, LLC

Greater Northshire Access Television, Inc.

Greenfield Community Television

The Greenlining Institute

Greenpeace USA

GWI

Hadley Media - Town of Hadley

Harrison Edwards, Inc.

Hawai'i Friends of Restorative Justice

Hawai'i Pono'ī Coalition Hawai'i Women in Filmmaking

Hawaii Broadband and Digital Equity Office

Hawaii Broadband Hui Hawaii Consumers

Hawaii International Film Festival Hilliary Communications, LLC

Hispanic Federation Human Rights Campaign

Human-I-T Hustle IBSA, Inc. IdeaTek

Illinois for Educational Equity

Impact Fund INCOMPAS

Indivisible Sacramento

InnovateEDU

Institute for Local Self-Reliance

Inteliquent InterAct

International Brotherhood of Electrical Workers

(IBEW)

Internet Infrastructure Coalition Jack Straw Cultural Center JAG - Jersey Access Group

Japanese American Citizens League

Jeff Davis County Library
The Juggernaut Project
JusticeLA Coalition
Kairos Action

Kansas City Public Library

Kipahulu Ohana, Inc. KOKO LP - 96.3 FM Hana Maui

Lake Champlain Access Television

Lambda Legal Last Tree Laws

Latinx Digital Leaders Now

The Lawyers' Committee for Civil Rights Under Law

Lawyers for Good Governance

The Leadership Conference on Civil and Human Rights

League of Conservation Voters LGBT Technology Partnership LGBTQ Victory Institute Libraries Without Borders US

LICT Corporation LISC Phoenix

Literacy Assistance Center

Literacy Source

Local Initiatives Support Corporation (LISC)

Local TV, inc

Los Angeles County Economic Development

Corporation

LPAC Action Network

Lucky Thirteen Design & Consulting LLC

Lucy Parsons Labs

LULAC Illinois Education Council 5238

Lynn Community Television Maine Broadband Coalition

Maine Community Media Association

The Marconi Society

Massachusetts Community Media dba MassAccess

Medfield TV Media Alliance

Media, Inequality & Change Center

MediaJustice

Melrose Massachusetts Television

Merit Network, Michigan MetroEast Community Media

MetTel

Mobile Beacon

Mobile Citizen, a Voqal Project

mohuman

More Perfect Union

Motor House

Movement Alliance Project

Movement Labs

MoveOn

Mozilla Foundation

MPower Change Action Fund

MuralNet

Muslim Advocates

Muslim Counterpublics Lab

NAACP

Nantucket Community Television, Inc.

National Association of Housing Cooperatives

National Association of Telecommunications Officers

& Advisors (NATOA)

National Association of the Deaf

National Black Justice Coalition

National Center for Transgender Equality

National Collaborative for Digital Equity

National Consumers League

National Council of Asian Pacific Americans

National Digital Equity Center National Digital Inclusion Alliance National Fair Housing Alliance

National Federation of Community Broadcasters

(NFCB)

National LGBTQ Task Force Action Fund

National Organization for Women

National Partnership for Women & Families

National Skills Coalition

National Treasury Employees Union

National Tribal Telecommunications Association

(NTTA)

National Urban League Native Public Media Navajo Nation

NC Telehealth Network Association

**NENA** 

New America's Open Technology Institute

New Hampshire Coalition for Community Media

Newark for Educational Equity & Diversity

Newsmax

North Shore TV

Northern Arapaho Business Council

Northwest Access TV

Norway Paris Community TV

NTCA – The Rural Broadband Association

NTEN

The Oasis Institute

OCA - Asian Pacific American Advocates

OD Action

Office for Community Technology, City of Portland,

Oregon

Omaha Community Broadcasting

The OMNI Centre for Public Media, Inc.

**OMNI Productions** 

The Open Markets Institute

Open MIC (Open Media and Information Companies

Initiative)

Open Technology Institute

Open Works

OpenMedia

Orion Neighborhood Television (ONTV)

Other98

Our Revolution

Outpost Publishers Cooperative Pacific American Foundation Pacific Northwest Gigapop

Parents Television and Media Council Partners Bridging the Digital Divide

PCs for People

Peabody TV

People For the American Way

People's Parity Project PFLAG National

PhillyCAM Presente.org Pride at Work

Privacy Right Clearinghouse Pro-Choice North Carolina Pro-Choice Washington

Progress America

Progressive Change Campaign Committee

Progressive Technology Project Public Advocacy for Kids (PAK)

Public Citizen

Public Health Innovators, LLC

Public Knowledge

Rebuild Johnston Square Neighborhood Organization,

Inc.

**REC Networks** 

Red Rock Mountain Studios LLC Redbud Telecom Consulting Reframe Health and Justice

Restore The Fourth Revolving Door Project

Right Here, Right Now Project

**ROANEnet** 

Robert W. Deutsch Foundation

RootsAction.org

Rural America Strategies, LLC

Rural Arizona Action

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.,

San Diego Futures Foundation

Schools, Health & Libraries Broadband (SHLB)

Coalition
Secure Justice

Service Employees International Union (SEIU)
The Sex Workers Project of the Urban Justice Center

Silicon Harlem

Silver State Equality - Nevada

Smith Bagley, Inc.

Socket

Sonic Telecom Soulee LKO Stroud Sound E-rate, Inc.

South Central Alabama Broadband Cooperative District

Southern Echo Inc.

Southern Oregon Education Service District

Southern Rural Black Women's Initiative for Economic

and Social Justice

Southwest Pennsylvania for Safe Technology

SPEAK MPLS

Specrotel Holding Company LLC

Springfield Area Public Access Television

Starry, Inc

State Educational Technology Directors Association

(SETDA)

Stemnastics LLC Sun Corridor Network

Surveillance Technology Oversight Project (S.T.O.P.)

SVP Community Media, BRIC Arts Media, Brooklyn,

NY

**Swinging Sixties Productions** 

Tahoe Truckee Media TakeItBack.Org Tech for Good Asia Tech Goes Home

The Tech Oversight Project

Technology Learning Collaborative

Telecommunications for the Deaf and Hard of Hearing,

Inc. (TDI)

Terabyte Media LLC Texas Networking, Inc.

Texoma Communications, LLC

Thundercloud, Inc.

Tilson

Together for Hope: A Rural Development Coalition

Town of Ridgefield Economic & Community

**Development Commission** 

The Trevor Project

Truconnect Communications, Inc.
Tunica-Biloxi Tribe of Lousiana
TURN - The Utility Reform Network
UCLA Center on Race & Digital Justice

UltraViolet Action

UnidosUS UNITE-LA

United Church of Christ Media Justice Ministry

Uniti Group, Inc.

**Urban Libraries Council** 

US Ignite UTOPIA Fiber

Valley Shore Community Television Inc.

Valley Vision

Vermont Access Network Vermont Mutual Aid Society

Visionary Broadband

Voqal

Voto Latino

WA People's Privacy

**WACATV** 

Waikiki Hawaiian Civic Club

Wallingford Public Access Association, Inc. d/b/a

WPAA-TV

Wastewater Alternatives and Innovations West Hartford Community Interactive

Western New York Library Resources Council

Wide Angle Youth Media

Winchester Community Access & Media, Inc.

Wired Broadband, Inc.

Wisconsin Department of Public Instruction

Women's March

Woodhull Freedom Foundation

The Workers Circle

Writers Guild of America, West

X-Lab Zayo

ZenFi Networks



February 13, 2023

The Honorable Maria Cantwell Chair

U.S. Senate Committee on Commerce, Science, and Transportation Washington, DC 20510

The Honorable Ted Cruz
Ranking Member
U.S. Senate Committee on Commerce, Science, and Transportation
Washington, DC 20510

Dear Chair Cantwell and Ranking Member Cruz,

On behalf of 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, and the undersigned organizations, we write to convey our strong support for the nomination of Gigi B. Sohn to serve as commissioner of the Federal Communications Commission (FCC). At a time when access to reliable, diverse news and information, as well as affordable broadband and communications, is paramount, a fully staffed FCC is a top priority for the nation and for the constituencies we represent. Ms. Sohn is an exemplary, history-making nominee for this position and should be swiftly confirmed.

Too many people in the United States still lack access to communications services that make equal opportunity and democratic participation possible. The FCC needs all five commissioners to produce digital discrimination rules, ensure the accuracy of broadband maps, and more. Ms. Sohn's confirmation will alleviate the gridlock that has recently prevented the FCC from carrying out a robust pro-civil rights agenda. Thus, her nomination is of particular importance to our civil and human rights coalition and to the communities we represent.

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. President Biden nominated Ms. Sohn on October 26, 2021 and renominated her on January 3, 2023. Recent reports indicate that the Senate Committee on Commerce, Science, and Transportation intends to move her nomination soon, and we are in full support of this effort.

Ms. Sohn is a champion of the issues that the communities we represent care about deeply. As former FCC commissioner Mignon Clyburn has pointed out, Ms. Sohn has been a strong voice for media diversity and helped underrepresented communities in industry gain access

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Damon Hewitt
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Japanese American Citizens League Virginia Kase Solomón League of Women Voters of the United States

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National Urban League
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Linidos US

Svante Myrick People For the American Way Janai Nelson NAACP Legal Defense and

Educational Fund, Inc. Christian F. Nunes National Organization for Women Rabbi Jonah Pesner Religious Action Center

of Reform Judaism Rebecca Pringle National Education Association Lisa Rice

National Fair Housing Alliance Kelley Robinson Human Rights Campaign

Anthony Romero
American Civil Liberties Union
Liz Shuler
AFL-CIO

Fawn Sharp
National Congress of American Indians
Maria Town
American Association of

People with Disabilities Randi Weingarten American Federation of Teachers John C. Yang

Asian Americans Advancing Justice | AAJC

President and CEO Maya Wiley February 13, 2023 Page 2 of 3



to communications platforms.<sup>1</sup> While she served as top advisor to FCC chairman Tom Wheeler, Ms. Sohn worked closely with the commissioners and staff to reduce predatory prison phone rates.<sup>2</sup> These reforms were important because inadequate communications policy for carceral communications has a disproportionate impact on Black and Brown communities. Further, Ms. Sohn has been a tireless advocate for universal service and has a strong track record of promoting policies that make internet access more affordable for low-income individuals, people of color, and people living on tribal lands.<sup>3</sup> She recently worked closely with industry and members of Congress to develop the Emergency Broadband Benefit program (now the \$14 billion Affordable Connectivity Program) and helped shape the broadband provisions in the 2021 bipartisan infrastructure bill.<sup>4</sup> She has been attentive to the needs of marginalized communities throughout her 30-year career, and she will undoubtedly continue to fight for vulnerable communities as an FCC commissioner.

Despite the strong evidence supporting her qualifications for this position, Ms. Sohn, who would be the first openly LGBTQ commissioner in history,<sup>5</sup> has faced a coordinated string of dangerous, homophobic attacks.<sup>6</sup> Ms. Sohn is highly qualified for the role of FCC commissioner, possesses deep knowledge of the challenges faced by disadvantaged populations, and has a demonstrated longstanding commitment to collaboration with civil rights stakeholders. She is the right person for the job, and her confirmation should not be delayed any longer.

For these reasons, we urge the Senate Committee on Commerce, Science, and Transportation to ensure that Gigi Sohn's nomination is considered by the committee as soon as possible and reported favorably to the full Senate. Should you have any questions, please contact Jonathan Walter, policy counsel for the media & tech program at The Leadership Conference on Civil and Human Rights, at walter@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights African American Ministers in Action

<sup>1</sup> Mignon Clyburn, "Policy Versus Politics: Gigi Sohn's Years of Support for Empowerment and Inclusion Deserve Confirmation," Broadcasting + Cable (Dec. 2, 2021), https://www.nexttv.com/blogs/policy-versus-politics-sohns-years-of-support-for-empowerment-and-inclusion-deserve-confirmation.

<sup>&</sup>lt;sup>2</sup> Id

<sup>&</sup>lt;sup>3</sup> Gloria Tristani, "In This Critical Moment for Digital Access, We Must Confirm Gigi Sohn for the FCC," The Hill (Jan. 08, 2022), https://thehill.com/opinion/technology/588737-in-this-critical-moment-for-digital-access-we-must-confirm-gigi-sohn-for/.

<sup>&</sup>lt;sup>4</sup> Chad Rupe, "Rural America Needs Gigi Sohn at the FCC," Daily Yonder (Mar. 28, 2022), https://dailyyonder.com/commentary-rural-america-needs-gigi-sohn-at-the-fcc/2022/03/28/.

<sup>&</sup>lt;sup>5</sup> "Setting the Record Straight: EFF Statement in Support of FCC Nominee Gigi Sohn," Electronic Frontier Foundation (Jan. 31, 2023), https://www.eff.org/deeplinks/2023/01/setting-record-straight-eff-statement-support-fcc-nominee-gigi-sohn.

<sup>&</sup>lt;sup>6</sup> Kevin Collier and Jason Abbruzzese, "Smear Campaign Targets Nominee Who Would Be FCC's First Openly Gay Commissioner," NBC News (Feb. 3, 2023), https://www.nbcnews.com/tech/tech-news/fcc-gigi-sohn-nomination-turns-ugly-rcna68224.



American Association of People with Disabilities

American Humanist Association

Asian Americans Advancing Justice – AAJC

Benton Institute for Broadband and Society

Catholics for Choice

Center for Democracy & Technology

Coalition on Human Needs

Color of Change

Common Cause

Communications Workers of America

Crescent City Media Group

Daily Kos

**Demand Progress Action** 

**Equality California** 

**GLBTQ** Legal Advocates

**GLSEN** 

**Hispanic Federation** 

Human Rights Campaign

Impact Fund

Japanese American Citizens League

Lawyers for Good Governance

LGBTQ Victory Institute

MediaJustice

Muslim Advocates

NAACP

National Fair Housing Alliance

National LGBTQ Task Force

National Organization for Women

National Partnership for Women & Families

National Urban League

New America's Open Technology Institute

Open MIC

People For the American Way

PFLAG National

Silver State Equality - Nevada

Southern Echo Inc.

The Lawyers' Committee for Civil Rights Under Law

The Trevor Project

The Workers Circle

UnidosUS

Uniter Church of Christ Media Justice Ministry

Voto Latino

## Re: Protect Privacy in Post-Roe era

Dear Members of the United States Senate,

We write to urge the United States Senate to confirm Gigi Sohn to the fifth seat on the Federal Communications Commission (FCC) before the end of March. Without her confirmation, the FCC will remain deadlocked and unable to protect consumer privacy and safety. Crucially, there are several things that the FCC could do to protect the safety and rights of people seeking, providing, and facilitating abortion care. But they can't do any of them until the commission is fully staffed.

The Biden administration's priorities, including restoring net neutrality and enacting privacy rules, have stalled for over two years. In that time, telecom giants and Big Tech have only scaled up their collection and retention of an astonishingly unnecessary amount of customer data, including the locations and search histories of individual people.

This mass surveillance dragnet is not only harmful to the public at large and our democracy—it puts the lives of abortion patients and providers in danger. The FCC has clear authority over restricting these abusive data collection practices. But with Sohn still waiting to break the current deadlock, it cannot act.

Following the Supreme Court's decision in Dobbs v. Jackson, unregulated data collection has reached a point of crisis. Our country's lack of constitutional privacy protections now enables the mass-scale tracking and criminalization of those seeking abortion healthcare. Location data from cell phones can be used as evidence to prosecute those who travel out of state to get an abortion. The carriers who currently hoard this data will comply with "valid legal requests" from state governments, even if those legal requests are clearly immoral and related to persecuting people for seeking reproductive healthcare.

It is extremely important that the FCC act swiftly to reduce the amount of intimate personal data that wireless carriers and Big Tech are allowed to collect and retain. Sohn is the right person for this job. She has spent the bulk of her career defending privacy rights and consumer safety.

Without Sohn, the FCC's lack of voting majority enables a data free-for-all on our mobile devices. Much of the data that carriers and Big Tech hoard is completely unnecessary for purposes of delivering mobile broadband, cell phone, or app services. Such data is collected because app developers, data brokers, and advertising firms pay a premium for it and face no restrictions on its use. For example, in 2016 an advertising company working with anti-abortion groups <u>used</u> "mobile geo-fencing" to pinpoint the location of women sitting in a Planned Parenthood waiting room, and sent them anti-choice ads in an attempt to dissuade them from getting an abortion.

States including Texas and Oklahoma have passed so-called "vigilante" laws that empower civilians to actively investigate each other for aiding, abetting, or obtaining an abortion. Right now, for a relatively low cost, anyone can pay a data broker to access millions of cell phone users' geolocation data. This broad attack surface poses a threat to the public at large. In 2019, an investigation by Motherboard <u>revealed</u> that for as little as \$300, an individual could hire a bounty hunter to geolocate a phone. In a separate 2022 investigation, Motherboard <u>purchased</u> the location data of visitors to 600 Planned Parenthood locations over the course of one week for \$160.

The FCC should already have moved to rein in such abuses. It possesses broad authority to crack down and enforce net neutrality, mandate broadband privacy, and end the totally unnecessary and egregious collection and sale of our intimate personal data. Civil rights groups in particular have been warning the government for years that the blanket surveillance hidden in our everyday devices poses a substantial threat to privacy rights, personal safety, and the lives of Black and brown people. It's far past time to confirm a fifth Commissioner with a track record of listening to traditionally marginalized people and defending everyone's basic human right to privacy. Absent Sohn's speedy appointment, the FCC will continue to do nothing, and that is unconscionable.

At a time when core privacy rights are being challenged and in some cases decimated, a kneecapped FCC is the last problem we should have. The Senate must take action to confirm Sohn and in doing so, it will be signaling that clear parameters are needed to protect consumers from being involuntarily recorded or tracked. Continued failure to appoint Sohn will result in unjust arrests and the proliferation of a surveillance state that jeopardizes the lives of many thousands of people.

#### Sincerely,

Fight for the Future, Accountable Tech, Advocacy for Principled Action in Government, Aspiration, California LGBT Arts Alliance, Defending Rights & Dissent, Digital Defense Fund, Digital Equity Research Center, Electronic Privacy Information Center (EPIC), FREE! Families Rally for Emancipation and Empowerment, GLAAD, Institute for Local Self-Reliance, JusticeLA Coalition, Kairos Action, Lucy Parsons Labs, Media Alliance, MediaJustice, MPower Change Action Fund, Muslim Advocates, Muslim Counterpublics Lab, National Center for Transgender Equality, Open Markets Institute, OpenMedia, Privacy Right Clearinghouse, Pro-Choice North Carolina, Pro-Choice Washington, Progressive Technology Project, Public Citizen, Reframe Health and Justice, Restore The Fourth, RootsAction.org, Secure Justice, Surveillance Technology Oversight Project, Tech for Good Asia, The Sex Workers Project of the Urban Justice Center, The Tech Oversight Project, UCLA Center on Race & Digital Justice, UltraViolet Action, WA People's Privacy, and Women's March

#### This letter can be read online here:

https://www.fightforthefuture.org/news/2023-02-09-letter-to-u-s-senate-calling-for-the-swift-confirmation-of-gigi-sohn-so-that-the-fcc-can-protect-reproductive-rights



February 6, 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:

Our diversity is our power. LGBTQ Victory Institute and the undersigned organizations representing a wide and diverse array of backgrounds and industries write to express our continued support and excitement for the nomination of Gigi Sohn as Federal Communications Commission (FCC) Commissioner. Gigi was first nominated over a year ago, on October 26<sup>th</sup>, 2021, and it is past time that she join the FCC and use her tremendous qualifications for the betterment of our country.

The Biden-Harris Administration made clear earlier this year that they are in full support of Gigi's historic nomination when they nominated her for a third time. We share the Administration's view that Gigi is the right leader for this role given her extensive qualifications, superior leadership qualities, and deep technical background.

A fully-functioning FCC that can advance broadband access, ensure all voices are heard, and protect all Americans' privacy is critically important to not just one community or demographic, but to our entire nation. Unfortunately, the FCC remains short of the critical fifth Commissioner since the beginning of the Biden-Harris Administration. Ultimately, this negatively impacts each and every American.

Gigi is one of the nation's leading public advocates for open, affordable, and democratic communications networks. She demonstrated her dedication to ensuring that every American household has affordable and robust broadband internet for thirty years. Gigi has worked across the country to defend and preserve the fundamental competition and innovation policies that have made broadband internet access more ubiquitous, competitive, affordable, open, and protective of user privacy. During this time, she has worked across the industry, notably as Counselor to former FCC Chair Tom Wheeler.



Gigi's nomination has recently come under attack, not on the basis of qualifications or substance, but because she is openly LGBTQ+. Her barrier-breaking nomination as the first LGBTQ+ nominee to the FCC is being met with homophobic tropes and attacks, against herself and her family, in an attempt to stall her nomination. That cannot stand.

Over 375 organizations, companies, elected officials, and local governments remain in full support for Gigi. We collectively call upon every Member of the Senate Committee on Commerce, Science, and Transportation to consider her qualifications and move her nomination forward expeditiously.

Homophobic and sexist fearmongering should have no place in the consideration of Gigi's qualifications. It's morally corrupt and antithetical to the high virtue of the Chamber.

Americans deserve a full-functioning FCC. We call upon every member of the Senate to condemn homophobia and sexism and consider Gigi's nomination on its merits. We urge Members to confirm Ms. Sohn to the seat she is so qualified for without delay.

Respectfully,

LGBTQ Victory Institute

**GLAAD** 

**Equality California** 

Silver State Equality

Association of LGBTQ+ Corporate Directors

Lambda Legal

Council for Global Equality

Free Press Action

LPAC Action Network

United Church of Christ Media Justice Ministry

FORGE, Inc.

LGBTQ Bar Association

Center for Disability Rights

Pride at Work

**Human Rights Campaign** 

**Equality Federation** 

Athlete Ally



PFLAG National
National Center for Transgender Equality
Family Equality
LGBT Technology Partnership
National LGBTQ Task Force



January 30, 2023

To Whom It May Concern:

Gigi Sohn must be confirmed to the fifth seat of the Federal Communications Commission without further delay. Ms. Sohn is arguably the most qualified person ever to be nominated to a seat on the FCC. Never before has a nominee for an FCC seat had so much bipartisan support.

Gigi Sohn has spent her life serving the public interest and has consistently worked to craft and adopt policies that ensure that everyone has affordable access to communications networks of every kind- broadcast, cable, and broadband.

The National Federation of Community Broadcasters (NFCB) has been serving the smallest public radio stations for over four decades. The decisions of the FCC have a huge impact on our service and our mission. We have 210 station members across the country, 65% of them are serving rural America. Gigi Sohn understands the issues and is fair-minded. She has worked across the aisle and with industry for over 30 years. She has already testified at two confirmation hearings. Smear campaigns and dark money influence peddling have no place in this process and yet such influencers have placed a target on Gigi Sohn's back. This is morally and ethically bankrupt behavior and we demand higher standards. Gigi Sohn will uphold higher standards as her track record and experience have proven.

Community broadcasters are serving the public in a rapidly changing environment that includes increased demands on their operations during disastrous weather-related events, increased societal violence, and rampant misinformation campaigns. Our country needs media that cares about public safety and is designed to serve the public interest – not exploit it. Together, our broadcasters represent thousands of communities that do not have a voice in matters that affect their health and well-being. This dynamic makes our country less strong and undermines our democracy.

We know what kind of character Gigi Sohn has. We stand united in our unequivocal support for her nomination to the FCC. Let's move forward and strengthen the FCC in their ability to serve the American people. That's what is supposed to come first.

Sally Kane, CEO

National Federation of Community Broadcasters

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Broadcasting + Cable Multichannel News

Q Broadcasting+Cable

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## Preston Padden: ISPs Complicit in Smear Campaign Against FCC Nominee Gigi Sohn

By John Eggerton (Broadcasting & Cable) published 11 days ago

Former Fox, Disney lobbyist tells Congress to ignore 'tabloid trash' and vote to confirm









FCC nominee Gigi Sohn (Image credit: Pete Marovich/The New York Times/Bloomberg via Getty Images)

Citing a smear campaign to continue to prevent Gigi Sohn from being seated as the fifth FCC commissioner, former Fox and ABC/Disney executive Preston Padden has written the chair of the Senate Commerce



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Committee to call out those tactics and advocate for Sohn, with whom he is not aligned politically.

Padden also said he had been in contact with Fox Corp.'s Rupert Murdoch, an opponent of the Democratic nominee. He said he was able to assuage Murdoch's "misgivings" about Sohn's nomination by pointing out that she was helpful in Padden's efforts as a top Fox exec to secure the FCC waivers needed to start the Fox network and "fend off" fierce lobbying from ABC, CBS and NBC in the process.



Preston Padden

One of the knocks on Sohn from her conservative critics — Sohn is a progressive Democrat — was over tweets critical of Fox News she posted when a private citizen, prior to serving as a counselor to Obama-era Federal Communications Commission chair Tom Wheeler. Sohn has said she regretted some of her word choices.

#### Also: Sohn Supporters Call Out Dithering Dems

Padden called Sohn a "superbly qualified" nominee who should get confirmed ASAP. He also asked that the letter be read into the record of a potential third nomination hearing on Sohn, who was nominated by President Joe Biden to fill the vacant third Democratic seat more than two years ago.

Padden said he was afraid Sohn was "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."

Just this past weekend, a story from the U.K.'s *Daily Mail* about Sohn was picked up by conservative U.S. outlets including Breitbart and Newsmax. Padden cited it as the latest in a string of accusations that he suggest were the lowest of the low.

"The press stories ginned up by Ms. Sohn's opponents are beneath scurrilous and are beneath the dignity of this Committee," he wrote. "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 ISPs."

#### Also: Sohn Tells Congress She Will Be Fair, Impartial

Sohn has long advocated for supporting new programming networks and voices to provide competition to established players, including conservative networks like Newsmax, whose founder has previously weighed in in support of Sohn. In fact, in the video embedded in Newsmax's online story on the *Daily Mail* article was an interview with Chip Pickering, a former

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Republican Congressman and current chairman of competitive carrier lobby group INCOMPAS, talking about why he supported Sohn and how helpful she had been in promoting the "little guys" over dominant players.

## Below is the full text of Paddden's letter of support:

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 ISPs.

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. Sohn's interest in

Will See Natasha Lyonne Riff on Other SB Spots

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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

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## John Eggerton





Contributing editor John Eggerton has been an editor and/or writer on media regulation, legislation and policy for over four decades, including covering the FCC, FTC, Congress, the major media trade associations, and the federal courts. In addition to Multichannel News and Broadcasting + Cable, his work has appeared in Radio World, TV Technology, TV Fax, This Week in Consumer Electronics, Variety and the Encyclopedia Britannica.

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# REC statement on the 2023 nomination of Gigi Sohn to the FCC

Fri, 01/06/2023 - 09:47

Now that the 118<sup>th</sup> Congress is now in session (well, at least the Senate), we are very excited to receive the news that the President has once again nominated Gigi Sohn to fill in the long vacant fifth seat on the Federal Communications Commission.

As we have said before, we need a Commissioner on the FCC who will not be the NAB's lap dog. REC thinks that Sohn will be that person. We have a few initiatives at REC to improve citizens' access to spectrum including LP-250, translator reform, rural noncommercial radio and the 8-meter ham band. These are not issues she that she promised to recuse herself from. Sohn's grassroots experience will be a perfect fit for community radio. Our spectrum belongs to the people, not just the large corporations. We think that Sohn has the best person who can represent the rest of us.

We wish her the best of luck through the confirmation process and we call on all Senators, especially Sinema and Manchin to support her and finally break the 2-2 deadlock on the FCC once and for all.

## December 19, 2022

The Honorable Chuck Schumer Senate Majority Leader 322 Hart Senate Office Building Washington, D.C. 20510

The Honorable Maria Cantwell
Senate Committee on Commerce, Science &
Transportation
512 Dirksen Senate Building
Washington, D.C. 20510

The Honorable Mitch McConnell Senate Minority Leader 317 Russell Senate Office Building Washington, D.C. 20510

The Honorable Roger Wicker Senate Committee on Commerce, Science & Transportation 512 Dirksen Senate Building Washington, D.C. 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Chair Cantwell and Ranking Member Wicker:

We, the undersigned organizations, urge you to confirm Gigi Sohn to the Federal Communications Commission (FCC) during the final days of the 117th Congress.

We are deeply concerned that antisemitic, homophobic, and racist smears against Ms. Sohn have contributed to the inaction of the Senate on her confirmation. These attacks, which reflect a nationwide rise in antisemitism and backlash against progress made by Black people, women and LGBTQIA+ people, provide an ugly backdrop for industry efforts to maintain a 2-2 tie at the Commission.

Telecommunications firms, cable companies and licensed broadcasters regulated by the FCC are invested in stopping the agency from carrying out its mission to serve the public interest. The goal of broadband providers' and broadcasters' ongoing campaign is simple: deadlock the agency to stop it from taking the bold actions the nation needs to ensure an equitable communications system. And it's not a secret. *The Wall Street Journal* Editorial Board outlined this strategy in a November 2020 op-ed, during the height of the confirmation fight over Commissioner Nathan Simington. More recently, *The New Yorker* published a piece exposing the work of dark-money group the American Accountability Foundation (AAF), which is running an entire project with the goal of stopping the confirmation of the President's nominees.<sup>2</sup>

https://www.wsj.com/articles/confirmation-mischief-at-the-fcc-11605655557.

<sup>&</sup>lt;sup>1</sup> Confirmation Mischief at the FCC, WSJ (Nov. 17, 2020),

<sup>&</sup>lt;sup>2</sup> 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.

And according to reporting last week by *The Washington Post*, AAF and the Center for a Free Economy (CFE) have placed at least \$246,000 in Facebook ads opposing Sohn's confirmation.<sup>3</sup>

The senseless delay in confirming Ms. Sohn only benefits large broadcasters and internet service providers and harms millions of people, especially working families trying to pay their rising monthly bills. As if a 14-month-long delay in her confirmation wasn't enough, Ms. Sohn has faced relentless and, at times vile, attempts to smear her reputation and misrepresent her positions on critical policy issues.

The Fraternal Order of Police, among others, has falsely claimed that Sohn holds "serious animus towards law enforcement officers and the rule of law" because she supports end-to-end encryption, and expressed support for holding officers accountable for their actions and evaluating the best ways to ensure public safety. Such accusations are an anti-Black, racist dog whistle that's often levied against public interest advocates — including Kristen Clarke and Vanita Gupta during their confirmation hearings<sup>5</sup> — who want to address systemic racism in our society and try to adopt policies that keep our communities safe.

Furthermore, in a move that reeks of antisemitism, right-wing pundit Charles Gasparino has made a concerted effort to tie Sohn with well-known liberal funder George Soros, who has provided some funding to Public Knowledge, an organization Sohn co-founded.<sup>6</sup> Public Knowledge received funding from a variety of sources during Ms. Sohn's tenure at the organization, which ended nearly ten years ago. This focus on Soros plays on decades of conspiracy theories that employ long-standing bigoted myths about Jewish people.<sup>7</sup>

On top of that, Murdoch-owned media properties, alongside Senators Ted Cruz, John Thune and Todd Young<sup>8</sup>, have made false claims about Sohn's intention to censor conservative outlets<sup>9</sup>, like Fox News, from her perch at the agency even though the agency has no power whatsoever to regulate the content of such outlets. Finally, Ms. Sohn, who would be the first openly

<sup>&</sup>lt;sup>3</sup> *How Biden's FCC nominee became a major campaign target*, The Washington Post (Dec. 13, 2022), https://www.washingtonpost.com/politics/2022/12/13/how-bidens-fcc-nominee-became-major-campaign-target.

<sup>&</sup>lt;sup>4</sup> *Gigi Sohn: FOP Research Analysis*, Fraternal Order of Police (March 2, 2022), https://fop.net/2022/03/gigi-sohn-fop-research-analysis.

<sup>&</sup>lt;sup>5</sup> Biden's pick for top civil rights post spars with Republicans over police funding, The Washington Post (April 14, 2021)

https://www.washingtonpost.com/national-security/kristen-clarke-confirmation/2021/04/14/74de72d4-9d35-11eb-80 05-bffc3a39f6d3 story.html.

<sup>&</sup>lt;sup>6</sup> Biden admin scrambling to save controversial FCC nominee after Saule Omarova withdrawal, Fox Business (Dec. 7, 2021), https://www.foxbusiness.com/politics/biden-admin-controversial-fcc-omarova-withdrawal.

<sup>&</sup>lt;sup>7</sup> *The Antisemitism Lurking Behind George Soros Conspiracy Theories*, ADL (Oct. 11, 2018), https://www.adl.org/blog/the-antisemitism-lurking-behind-george-soros-conspiracy-theories.

<sup>&</sup>lt;sup>8</sup> FCC Nominee Gigi Sohn Pushes Back At "Unrelenting, Unfair And Outright False Criticism" In Senate Hearing — Update, Deadline (Feb. 9, 2022),

https://deadline.com/2022/02/gigi-sohn-fcc-joe-biden-senate-commerce-committee-1234929763.

<sup>&</sup>lt;sup>9</sup> A Media Censor for the FCC?, WSJ (Nov. 8, 2021),

https://www.wsj.com/articles/a-media-censor-for-the-fcc-gigi-sohn-joe-biden-nominee-11636408804.

LGBTQIA+ commissioner in the history of the agency, has faced homophobic comments and attacks online.<sup>10</sup>

It is critical for the Senate to see past these smears and confirm Ms. Sohn to the FCC, as the delay in her confirmation has not been without consequence. The failure to confirm Sohn has slowed the agency's ability to adopt policies to close the digital divide, which disproportionately impacts Black and Brown people's internet adoption, enforce our nation's communications law, promote diversity and localism in broadcast ownership and more.<sup>11</sup>

We strongly urge you to reject attempts to smear a public interest champion and vote to confirm Gigi Sohn to the FCC.

Sincerely,

Color Of Change Free Press Action MediaJustice

<sup>&</sup>lt;sup>10</sup> Biden's internet promises in limbo amid long battle over FCC nominee, The Washington Post (Dec. 14, 2022), https://www.washingtonpost.com/technology/2022/10/14/fcc-deadlock-gigi-sohn.

<sup>&</sup>lt;sup>11</sup> Why We Need a Full-Strength FCC, Benton Institute for Broadband & Society (Dec. 9, 2022), https://www.benton.org/blog/why-we-need-full-strength-fcc.

The Honorable Charles Schumer Senate Majority Leader 322 Hart Senate Office Building U.S. Senate Washington, D.C. 20510 The Honorable Maria Cantwell Chair, Senate Committee on Commerce, Science and Transportation Russell Senate Office Building 254 U.S. Senate Washington, D.C. 20002

## Dear Leader Schumer and Chair Cantwell:

Our unions represent millions of workers in telecommunications, tech, and media as well as most sectors of the US workforce. We write to strongly support Gigi Sohn for the role of Commissioner at the Federal Communications Commission (FCC) and urge swift action on her nomination. The FCC needs a fully seated commission in order to make critical decisions during a period of increased federal investment in broadband networks and digital equity initiatives.

Gigi Sohn has over 30 years of experience working on communications policy. Her meaningful leadership, dedication, and contributions cannot be overstated, as she has been instrumental in the success of many FCC programs, including on the issues of affordability, competition, open internet, modernization of the Lifeline program, and adoption of strong privacy rules for broadband providers. Sohn has also ensured that working people and underrepresented communities are front and center in charting the course for an equitable communications and media ecosystem. During the T-Mobile/Sprint merger, Sohn was a key ally in the fight to protect the jobs of the working families who ultimately ended up being harmed by the merger. Additionally, Sohn supports constructive collaboration with states to ensure effective mapping and oversight of broadband services and infrastructure.

Sohn's voice, experience, and expertise are just what the FCC needs. Once confirmed, she will continue to be a staunch champion for workers and consumers. Sohn fully understands our complex telecommunications and media landscape, the importance of diversity and inclusion for all people, and will work diligently to ensure all viewpoints are represented in FCC decisions.

We urge you to swiftly advance the nomination of Gigi Sohn.

Thank you in advance for your consideration.

## Sincerely,

## AFL-CIO

American Federation of Teachers (AFT)
American Federation of State, County and Municipal Employees (AFSCME)
Communications Workers of America (CWA)
International Brotherhood of Electrical Workers (IBEW)
National Treasury Employees Union (NTEU)
Service Employees International Union (SEIU)
Writers Guild of America, West (WGAW)

cc: Members of the U.S. Senate

October 14, 2022

The Honorable Charles Schumer Senate Majority Leader 322 Hart Senate Office Building Washington, D.C. 20510

The Honorable Maria Cantwell Chair, Senate Committee on Commerce, Science and Transportation Russell Senate Office Building 254 Washington, DC 20002 The Honorable Mitch McConnell Senate Minority Leader 317 Russell Senate Office Building Washington, D.C. 20510

The Honorable Roger Wicker Ranking Member on Commerce, Science and Transportation Dirksen Senate Office Building 512 Washington, DC 20002

Dear Senate Majority Leader Schumer, Minority Leader McConnell, Chair Cantwell and Ranking Member Wicker

We represent a wide cross section of businesses, consumer advocates, civil rights organizations, education sector, state and local elected officials, and community groups urging you to bring to the floor the confirmation vote of Gigi Sohn for the Federal Communications Commission (FCC) before Congress adjourns. Her nomination is supported by a vast array of public interest and civil society organizations, broadband providers, wireless carriers, technology companies, public safety, rural and Tribal entities seeking to bring broadband to these communities, as well as government leaders from both Democratic and Republican administrations. 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.

Over Ms. Sohn's 30 years of experience in telecommunications, broadband and technology policy, she has shown a strong commitment to the First Amendment, and proven to be a leader in promoting innovation, US jobs and a strong economy. She has regularly worked with organizations representing diverse media interests and across the aisle to ensure all voices and views are heard both as a consumer advocate and as a government official. Her consistent and long held support of diversity in viewpoints in media will serve all voices well and is why she is supported by both conservatives and progressives.

Ms. Sohn has also worked extensively during her career to expand broadband access to those who can't afford it. Her work with industry and members of Congress in developing programs which support low-income Americans including those in rural and tribal lands, is an example of her commitment to work with all sides to arrive at commonsense solutions. With the FCC having been tasked by Congress to ensure all Americans gain access to open, affordable, 21st century ready broadband service under the bipartisan infrastructure law, the agency will benefit from Ms. Sohn's involvement as it works to expand work and business opportunities to Americans in unserved and underserved areas.

We call on the Senate to give the consideration that is due to this highly qualified individual, who has dedicated her career to ensuring consumers have access to communications services available to everybody, regardless of income, race, ethnicity, gender identity, sexual orientation, geography, or political viewpoint. Her life's work is the embodiment of the FCC's mission, and we simply cannot have a less-than fully functioning FCC to persist any longer.

## Sincerely,

Civic Education Council

18 Million Rising California Center for Rural Policy 2050 Hawaii, Inc. California Clean Money Campaign

5G Free RI California Community Foundation Digital

**Equity Initiative** Access Humboldt

Cambodian American Community Council of Accountable Tech

Washington **ADT** 

Capital Community Media Advocacy Initiative for Development (AID)

**CARDBoard Project** Ala Kuola

CCTV Center for Media + Democracy, Alliance for Community Media

**Burlington Vermont** 

Aloha Independent Living Hawaii Center for Accessible Technology American Association for Public Broadband

Center for American Progress

American Economic Liberties Project Center for Democracy & Technology

American Federation of Teachers Center for Rural Strategies

American Library Association Chairman Daniel Linville - West Virginia House of Delegates - Committee on Technology and American Society on Aging

Infrastructure

Appalshop Community Media Initiative Chamber of Progress Arlington Community Media Inc.

Citizens Fiber Initiative Group Arlington Independent Media

City of Seattle Department of Information Ashbury Senior Computer Community Center

Technology (ASC3)

Asian Americans Advancing Justice-AAJC Civic Shout

**Baltimore Arts Realty Corporation** 

Clear Light Ventures Belmont Media Center

Coalition for a Drug Free Hawaii Benton Institute for Broadband & Society

Code in the Schools Berwick Community Media Color Of Change Boulder Thinking, LLC Common Cause

Buckeye Hills Regional Council Common Sense

buildJUSTLY Communication Service for the Deaf, Inc.

California Brain Tumor Association Communications Workers of America (CWA) Community Media Center Of Marin

Community Tech Network

CompTIA

Computer Reach

Connect Your Community Institute

Consumer Technology Association (CTA)

Consumers for Safe Cell Phones

Davis Media Access Demand Progress

Derry Community Access Media

**Detroit Community Technology Project** 

Digital Connect Initiative
Digital Equity Institute

Digital Equity Learning Network of King

County

Digital Equity Research Center

Digitunity DISH

**Duluth Public Access Community Television** 

**Economic Security Project Action** 

EducationSuperHighway

**Electronic Frontier Foundation** 

**EMF Safety Network** 

Engine

**Environmental Working Group** 

EveryoneOn

Falmouth Community Television Corp, Inc.

Families Advocating for Chemical and Toxics

Safety

Fight for the Future

Former Georgia State Senator Judson Hill

Framingham Public Access Corporation

Free Press Action
Friends of Makakilo

Friends Of Waimānalo

Fuse.Cloud

Future of Music Coalition

Georgette Stevens, President, Wai'anae

**Protestant Church** 

**GLAAD** 

Golden Frog, GmbH

Granite Telecommunications, LLC

Greater Northshire Access Television, Inc.

**Greenfield Community Television** 

Greenpeace USA

**GWI** 

Hadley Media - Town of Hadley

Harrison Edwards, Inc.

Hawai'i Friends of Restorative Justice

Hawai'i Pono'ī Coalition

Hawai'i Women in Filmmaking

Hawaii Broadband and Digital Equity Office

Hawaii International Film Festival

Hispanic Federation

Human Rights Campaign

Hustle

**INCOMPAS** 

Indivisible Sacramento

Institute for Local Self-Reliance

Internet Infrastructure Coalition (i2Coalition)

Jack Straw Cultural Center JAG - Jersey Access Group

Japanese American Citizens League

Kipahulu Ohana, Inc.

KOKO LP - 96.3 FM Hana Maui Lake Champlain Access Television

Last Tree Laws

Latinx Digital Leaders Now LGBTQ Victory Institute Literacy Assistance Center

Literacy Source

Local Initiatives Support Corporation (LISC)

Local TV, Inc. (LTV)

Los Angeles County Economic Development

Corporation (LAEDC)

LULAC Illinois Education Council 5238
Maine Community Media Association
Massachusetts Community Media Inc.

Massachusetts Community Media, Inc.

Medfield TV Media Alliance

Media, Inequality & Change Center

MediaJustice

MetroEast Community Media

Mobile Citizen mohuman Motor House Movement Labs

MoveOn

Muslim Advocates

Nantucket Community Television, Inc.

National Association of Housing Cooperatives National Association of Telecommunications

Officers & Advisors (NATOA)

National Association of the Deaf (NAD)

National Collaborative for Digital Equity

National Council of Asian Pacific Americans

(NCAPA)

National Digital Equity Center

National Digital Inclusion Alliance

National LGBTQ Task Force Action Fund

National Treasury Employees Union

National Urban League Native Public Media

New America's Open Technology Institute

New Hampshire Coalition for Community Media

North Shore TV

Northwest Access TV

Norway Paris Community TV

NTCA – The Rural Broadband Association

NTEN

OCA - Asian Pacific American Advocates

**OD** Action

Office for Community Technology, City of

Portland, Oregon

'Olelo Community Media

Omaha Community Broadcasting

Open MIC (Open Media and Information

Companies Initiative)

Open Works
OpenMedia

Orion Neighborhood Television

Other98

Our Revolution

Outpost Publishers Cooperative Pacific American Foundation

Partners Bridging the Digital Divide

PCs for People Peabody TV

People's Parity Project

PhillyCAM

Progress America

Progressive Change Campaign Committee

Public Health Innovators, LLC

Public Knowledge

Rebuild Johnston Square Neighborhood

Organization, Inc.

**Revolving Door Project** 

Right Here, Right Now Project

**ROANEnet** 

Robert W. Deutsch Foundation

RootsAction.org

Rural America Strategies, LLC Rural Wireless Association, Inc. Saco River Community Media Sacramento Community Cable Foundation

Schools, Health & Libraries (SHLB) Broadband

Coalition

Senator Robert Plymale - West Virginia Senate - West Virginia Broadband Enhancement Council

Smith Bagley Inc.

Sonic Telecom

Soulee LKO Stroud

South Central Alabama Broadband Cooperative

District

Southern Rural Black Women's Initiative for

Economic and Social Justice

Southwest Pennsylvania for Safe Technology

SPEAK MPLS

Springfield Area Public Access Television

Starry Group Holdings, Inc. (Starry Internet)

Stemnastics LLC

Surveillance Technology Oversight Project

(S.T.O.P.)

SVP Community Media, BRIC Arts Media,

Brooklyn, NY

Tahoe Truckee Media

TakeItBack.Org

Tech Goes Home

Technology Learning Collaborative

Telecommunications for the Deaf and Hard of

Hearing, Inc. (TDI)

Texas Networking, Inc.

The Computer & Communications Industry

Association (CCIA)

The Freedom BLOC

The Greenlining Institute

The Juggernaut Project

The Kansas City Public Library

The Leadership Conference on Civil and Human

Rights

The Oasis Institute

The OMNI Centre for Public Media, Inc.

The Open Markets Institute

The Tech Oversight Project

The Utility Reform Network (TURN)

Tilson

Town of Ridgefield Economic & Community

**Development Commission** 

Truconnect Communications, Inc.

**UnidosUS** 

**UNITE-LA** 

United Church of Christ Media Justice Ministry

Uniti Group

US Ignite

Valley Vision

Vermont Access Network

Voqal

WACA TV

Waikiki Hawaiian Civic Club

Wallingford Public Access Association, Inc.

d/b/a WPAA-TV

Wastewater Alternatives and Innovations

West Hartford Community Interactive

Wide Angle Youth Media

Winchester Community Access & Media, Inc.

Wired Broadband, Inc.

Writers Guild of America West (WGAW)

X-Lab

Zayo Group, LLC







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## **OPINION**

# Why all Democrats should stand up for Gigi Sohn: The FCC nominee is being hung out to dry

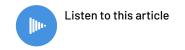
By Gloria Tristani and Jessica J. González New York Daily News • Jul 10, 2022 at 5:00 am







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Last month, the Biden administration passed a regrettable milestone: 500 days without seating a fully functional Federal Communications Commission.

The president's nominee to fill the fifth and final FCC commissioner's spot, longtime public-interest advocate and former FCC adviser Gigi Sohn, has been in limbo awaiting Senate confirmation — leaving the agency without the vote it needs to break partisan deadlocks on crucial policies that impact the ways Americans connect and communicate.

The power to return the FCC to full strength rests with Senate Majority Leader Chuck Schumer, but so far he's refused to use it. That's harming millions of people, especially working people trying to pay their rising monthly bills and those in Black, Latino and other communities long underserved by the biggest phone and cable companies.

The FCC's job is to regulate the public airwaves that bring us broadcast TV and mobile-phone service, and the wires that bring the internet to our fingertips. Without a full slate of commissioners, the agency can't move forward on meaningful votes to make internet access more affordable for everyone, curb runaway media consolidation or restore vital rules designed to protect the open internet, which the Trump administration repealed. Restoring those net neutrality rules is incredibly popular with voters, supported by 82% of Democrats and 65% of Republicans, according to a recent survey.

Of course, the broadcast, cable and phone companies don't want the FCC to function, so they've launched a smear campaign against Sohn, misrepresenting her record repeatedly and dispatching an army of lobbyists to disparage her. Instead of confronting the dishonest attacks on their nominee, Democratic leaders have dithered and delayed.



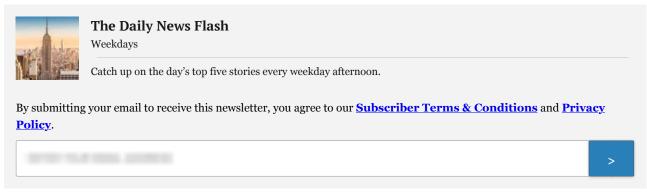


Gigi Sohn testifies before the Senate Commerce, Science and Transportation Committee, Feb. 9, 2022, during her nomination hearing on Capitol Hill in Washington. (Pete Marovich/AP)

While the obstructionism from industry and Republicans is as deplorable as it is predictable, the reality is that the Democratic Party still controls the gavel and the legislative calendar in the Senate. Anything worth doing in this closely divided Senate is likely to require a 51–50 vote, with the vice president breaking the tie.

Schumer may be reluctant to call a vote for Sohn without clear commitments from 50 senators. But a small set of holdouts won't commit unless a vote is called. And so Sohn waits as the midterm elections inch closer, and the Democrats risk losing power in Congress.

The Democratic delays are hurting both the party and the American people. According to recent polling by Reuters/Ipsos, a growing percentage of Democrats say their party was unable to get things done, lacked resolve or failed to follow through on its promises in 2021. A Morning Consult/Politico poll found that enthusiasm for Democratic politicians is flagging among the party's rank and file.



The party's perpetual foot-dragging isn't just having political consequences. Sohn, who hails from Long Island and would be the agency's first LGBTQ commissioner, is a seasoned public-interest champion who's devoted her career to building consensus on important issues in media and telecommunications policy.

Lacking her decisive vote at the FCC, the agency leadership has been unable to fulfill its commitment to diversify local media ownership — a pressing need in light of a 2019 agency survey that counted fewer than 2% of local TV stations as Black-owned, and just 4% as Latino-owned.

A deadlocked FCC also can't restore open internet safeguards or adopt policies that ensure broadband is affordable for all. And the lack of FCC oversight means that people everywhere are subject to the whims of big corporations, like AT&T, Comcast, Fox Corp. and Sinclair Broadcasting, that often put profits before people.

3 of 7 2/10/23, 2:37 PM

In short, Sohn is exactly the type of leader the Democratic Party should enthusiastically support. She has stood strong on behalf of everyday consumers and users of new and old media alike. Hundreds of organizations from every corner of the country — including leading civil-rights, community-media and consumer-advocacy groups, along with unions, trade associations and tribal governments — have lined up to support her. As longtime advocates for the Latino community (one of us a former FCC commissioner), we know Sohn has both the political acumen and commitment to civil rights that the FCC needs.

The absence of a fully functional FCC is a profound liability for the party at a time of multiple crises, when people rely on an internet connection to learn about job opportunities, seek vital healthcare and engage in civic affairs. If Sen. Schumer doesn't call a vote now, Sohn may never get confirmed.

That would not just be a loss for the tens of millions of people whose lives Sohn would improve as an FCC commissioner. It would be an unforgivable failure for a Democratic Party that can't seem to get out of its own way to serve the public.

Tristani served as an FCC commissioner from 1997 to 2001. González is the co-CEO of Free Press Action.

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### What Comcast Is Doing To Gigi Sohn Is Wrong!

I am no virgin on the dark arts of lobbying. But what Comcast is doing to Gigi Sohn - President Biden's nominee to the FCC - is egregious.

I highly respect Comcast and it's head lobbyist who is a former colleague and friend. Comcast is a company with impeccable Democrat credentials. It's former Executive VP is President Biden's Ambassador to Canada. All of this makes Comcast's extremely targeted campaign against President Biden's FCC nominee harder to accept.

Politico reports that "Comcast retained Larry Puccio, who was Manchin's top aide as governor of West Virginia and has remained close with the Swing vote senator". <a href="https://www.politico.com/newsletters/politico-influence/2022/01/10/former-manchin-chief-signs-2-799790">https://www.politico.com/newsletters/politico-influence/2022/01/10/former-manchin-chief-signs-2-799790</a> I am advised that, as of today, Senator Manchin is the only Democrat who has not yet committed to support Sohn's confirmation.

One might think that Comcast just hired Puccio on general telecom issues. But another Comcast lobbying hire let the cat out of the bag! ArsTechnica reports that Comcast hired Kirk Adams of Consilium of Phoenix, AZ. ArsTechnicia further reports that on Federal Lobbying Disclosure forms, Adam's clumsily listed the purpose of his hiring as "FCC Nominations". <a href="https://arstechnica.com/tech-policy/2022/01/comcast-trying-to-torpedo-biden-fcc-pick-gigi-sohn-advocacy-group-says/">https://arstechnica.com/tech-policy/2022/01/comcast-trying-to-torpedo-biden-fcc-pick-gigi-sohn-advocacy-group-says/</a> (<a href="https://arstechnica.com/tech-policy/2022/01/comcast-trying-to-torpedo-biden-fcc-pick-gigi-sohn-advocacy-group-says/">https://arstechnica.com/tech-policy/2022/01/comcast-trying-to-torpedo-biden-fcc-pick-gigi-sohn-advocacy-group-says/</a>)

One Democrat leaning company should not be able to block President Biden's FCC nominee with micro- targeted lobbying hits. Maybe Biden's FCC nominee Sohn should call Biden's Ambassador to Canada and ask for some "Biden family" help in breaking the confirmation logjam!

Posted on June 3, 2022 by boulderpreston

### One thought on "What Comcast Is Doing To Gigi Sohn Is Wrong!"

1. Pingback: Telecom Lobbyists Are About To Scuttle The Nomination Of A Popular Reformer To The FCC And Nobody Much Seems To Care | Techdirt

Blog at WordPress.com.



### Common Cause Calls on the Senate to Hold a Vote and Confirm Gigi Sohn as FCC Commissioner

06.3.2022 / 12:26 PM

#### Media Contact

David Vance (202) 736-5712 dvance@commoncause.org

Yesterday, Axios published an article detailing how the clock is running out for the Senate to confirm Gigi Sohn, President Biden's nominee to be a commissioner of the Federal Communications Commission. President Biden nominated Ms. Sohn over six months ago and the vacancy has been open for over a year, keeping the FCC deadlocked in a 2-2 split. A deadlocked FCC is unable to fully address broadband affordability or move forward on a host of other communications reforms vital to our democracy.

### Statement of Michael Copps, Common Cause Special Advisor and Former FCC Commissioner

"The clock is not just running out for Gigi Sohn to be confirmed but also for any chance to have a fully functional FCC during the Biden administration. Given the current time constraints, it would be incredibly difficult if not impossible for the White House to identify, vet, nominate, and for the senate to ultimately confirm another nominee if Ms. Sohn is not confirmed. If we want to break the deadlock and have an FCC that can fully address the communications needs of our households during this administration, it's Ms. Sohn or bust.

"Big money opposition understands this dynamic and is running a smear campaign to stall Ms. Sohn's confirmation. The ISP gatekeepers know that a functional FCC would hold them accountable for engaging in discriminatory and antitcompetitive practices. So they are doing everything they can to ensure the Trump FCC's legacy of decision-making that puts profits over people remains in place. We can't allow these corporate interests to subvert the public interest.

"The White House's own initiatives on promoting broadband competition, making broadband affordable, restoring net neutrality, and advancing racial equity though the federal government are all in jeopardy if Ms. Sohn is not confirmed. Ms. Sohn's confirmation is also critical for many proceedings at the FCC including updating our broadband maps, strengthening our broadband affordability programs, prohibiting digital discrimination, putting the breaks on runaway media and telecom consolidation, and promoting media diversity. Failing to confirm Ms. Sohn would not just result in lost opportunities for the White House and FCC to advance public interest agendas but would also negatively impact our everyday lives as robust and affordable connectivity has become crucial to participating in our democracy and society.

"There is no doubt that Gigi Sohn is well-qualified to be a commissioner at the FCC. She has spent her entire career fighting for the public interest, and will work to make sure consumers all across the country are represented.

"What needs to be done is simple – Senate Majority Leader Schumer must hold a vote. Senators must show where they stand on confirming this well-qualified candidate. We can no longer afford any delays in confirming Ms. Sohn and breaking the agency's current deadlock. It is time for Senate leadership to meet the moment we're in and do everything within their power to make sure Ms. Sohn receives a vote."

# Verizon & Comcast Are Waging A War On Biden's FCC Nominee

Nicole Bardasz

Who's afraid of Gigi Sohn? Big Cable & Internet.



May 20 2022

Video produced and edited by Josh Miller-Lewis and Nes Sanchez

AT&T, Verizon, Comcast & other telecom companies are running a ruthless campaign to kill Biden's FCC nominee Gigi Sohn. Why? If Sohn is confirmed the FCC could restore net neutrality and expand broadband. We uncovered the corporate lobbyists secretly waging war on Gigi Sohn with Mark Stanley from Demand Progress. Below is a full transcript of the video:

[News]: President Biden's new FCC nominee is being hailed by the White House as a leading advocate for open affordable and democratic communications networks, but is that just code for media censor?

[News]: Gigi uh the name sounds a little funky and the glasses make me think twice but she seems like she has a radical agenda.

[News]: Her name is Gigi Sohn. How petrified should every American be about her nomination?

1 of 7 2/13/23, 10:33 AM

**Mark Stanley:** Some right-wing groups are outraged over President Biden's choice to fill the last seat on the Federal Communications Commission. They CLAIM to be furious over her tweets criticizing Fox News. But these are the same people who spent the last 6 years defending Donald Trump's tweets.

So what's the REAL reason Republicans are marshaling all of their resources to defeat Gigi Sohn?

[Roy Blunt, at <a href="hearing">hearing</a>]: U.S. telecom which would be AT&T and verizon and others and cable group ncta have written letters expressing...that you should be recused from all those issues.

**Mark Stanley:** Corporate America is terrified that Sohn and the FCC may finally stop cable and internet companies from ripping us off.

**[Gigi Sohn, at <u>hearing</u>]:** I think there are certain very large companies who would like to see the fcc continue to be deadlocked." – <u>Gigi Sohn</u>

**Mark Stanley:** You see, Sohn wants to ensure the internet is accessible to every American, not as a luxury but as a right – her common-sense stances and the possibility of a fully-staffed FCC are seen as threats to the profits of companies like Verizon, AT&T, and Comcast.

Sohn believes we should reinstate net neutrality, take on providers who rip off customers and expand affordable broadband to rural and low-income areas.

But as long as Sohn is unconfirmed, the FCC will remain deadlocked and lack the full ability to stop internet providers from blocking content, throttling traffic or charging outrageous fees.

Now, corporate America has launched an all out war on Sohn.

More Perfect Union researched who is funding the war on Gigi Sohn.

The Center for a Free Economy launched an ad campaign claiming Sohn would "advance [Democrats] cancel-culture agenda." What the Center doesn't mention is that its president is a lobbyist for Cox Enterprises, the third largest cable company in the country.

FreedomWorks has also spent thousands of dollars alleging that "Gigi Sohn wants to investigate and regulate conservative networks." Of course FreedomWorks received \$10k from the National Association of Broadcasters in 2019 and has a history of running astroturf campaigns for Verizon, another major funder.

Then there is the American Accountability Foundation, founded by which recently started running this ad promoting the Fraternal Order of Police's opposition to Sohn:

What are Gigi Sohn's supposedly "extreme views"? She supports encryption to ensure your data and messages remain secure and confidential. The blue that the Fraternal Order of Police is backing isn't the police. It's AT&T who they formed an

2 of 7 2/13/23, 10:33 AM

exclusive partnership with in 2020.

And the list of groups opposing Sohn who have received major backing from telecom companies goes on and on.

The Chamber of Commerce received \$850,000 from Comcast in 2020 and \$170,100 from AT&T in 2021.

The Taxpayers Protection Alliance took in \$20,000 from NCTA-The Internet & Television Association, whose members include Comcast and Charter Communications.

Americans for Tax Reform got up to \$100,000 from Verizon and tens of thousands more from cable company trade groups backed by Comcast.

Don't be fooled by the attacks on Gigi Sohn as an extremist – she's anything but. The campaign to oppose Sohn's nomination is being waged by extremely profitable telecom companies against a true public champion... and against policies like net neutrality that the overwhelming majority of Americans support.

The Senate needs to confirm Gigi Sohn immediately to ensure affordable, highspeed broadband for every American and an open internet free from Big Cable's gatekeeping and abusive practices.

3 of 7 2/13/23, 10:33 AM

LAW & GOVERNMENT

### **COMMENTARY**

# Fixing the digital divide requires senators to approve Biden's FCC nominee

STEVEN RENDEROS

MAY 18, 2022 9:30 AM





Photo by Franck | Unsplash

Last week, President Joe Biden rolled out the red carpet for major Internet Service Providers promising to increase internet speed and quality, and lower the cost of internet for low-income families. These commitments, following an act of Congress to create the Affordable Connectivity Program last November, are not nearly good enough for the 30% of Arizonans who lack home broadband and the 12 million students across the country that are still offline.

Words are not action, they don't address places where these profitable corporations refuse to invest in infrastructure to carry internet to homes, and they are not long-term solutions.



### **SUBSCRIBE**

If you've ever had to schedule a service call appointment with your internet company, you've probably prepared to be left hanging. During the pandemic, these companies pledged not to disconnect Americans from their Internet connection, and yet they did anyway. This week's White House announcement doesn't hold corporations accountable for delivering service to the homes who need it most, nor would it introduce the competition we need to keep the cost of home internet affordable for more.

The Federal Communications Commission has all of these issues on their agenda but have been operating without a full panel of commissioners for over six months since Gigi Sohn was nominated by Biden to fill the vacancy.

While Internet Service Providers connect more affluent areas to faster speeds at lower prices, they leave families in low-income neighborhoods with slower broadband that is more expensive. From cities like Phoenix where 20% lack home broadband to rural areas like Apache County where 99% lack it, the digital divide is a major concern. The FCC is still one critical commissioner short until the U.S. Senate confirms Gigi Sohn to help the FCC address this long-standing problem. Senators Mark Kelly and Kyrsten Sinema are in a prime position to ensure all Arizonans can benefit from the Internet by propelling Sohn to confirmation.

When the pandemic hit and people needed broadband the most, Internet Service Providers — many of which saw their profits skyrocket — let us down. This is a market failure that strong leaders, like Sohn, at the FCC can correct while moving us towards a future in which broadband works for everyone. But upsetting business as usual threatens the corporations with a stranglehold on our communications and we need senators Sinema and Kelly to take a stand for Sohn to join the agency and move forward the changes that Arizonans need.

Ms. Sohn brings over 30 years of experience working in government and nonprofits and I have worked with her over the past decade. When Sohn served as senior counsel to former FCC Chairman Tom Wheeler, she listened to delegations of impacted people convened by MediaJustice, an organization that I lead to

fight for our right to communicate. Sohn drew upon those meetings to influence policy that advances our communications access and power. It's no coincidence that during her time at the FCC, the Commission lowered the cost of calls between incarcerated people and their loved ones, expanded the Lifeline program—which brought millions of low-income families online, and passed Net Neutrality rules to protect our voices online.

The public interest in tackling the systemic inequities that exist in the telecommunications industry will be strongly represented by Sohn, when the Senate votes to add her to the Commission against industry lobbyists working to gin up opposition in the halls of Congress. Sohn's appointment will tilt the direction FCC, now evenly split between two commissioners that support the policies that would get more Arizonans online and two who would leave it to corporations to decide.

For years carriers intentionally made discriminatory choices even though it magnifies already existing racial inequalities. Their profits will always take priority in the absence of rules and the pain that inflicts in our communities here in Arizona and across the country. No other industry, from airlines to medicine to food, currently enjoy this level of exploitive power because they all have regulators that oversee their practices.

We are long past allowing this to continue. Senators Sinema and Kelly need to confirm Sohn to get the FCC back up and running at full capacity for the public.

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### STEVEN RENDEROS



April 27, 2022

### Dear Senator:

I am writing to urge you to support the nomination of Gigi Sohn for Commissioner of the Federal Communications Commission (FCC). Throughout her career, she has been a staunch advocate for the expansion of affordable and reliable internet access and for addressing the digital divide in both rural and urban areas. Her expertise and her commitment to bringing reliable and affordable high-speed broadband to every corner of this country would make her a welcome addition to the FCC.

Ms. Sohn also recognizes the value of the telecommunications workforce. She helped raise the need to protect the jobs of working families during the merger of T-Mobile/Sprint; indeed, she has emphasized the needs of working people and underrepresented communities in all her work.

As our nation begins to implement the historic investment for broadband expansion provided by the recently enacted Infrastructure and Investment and Jobs Act, we need a fully staffed FCC to work hand in hand with the rest of the federal government to ensure that we achieve our aspirations for universal access. We need an FCC that will ensure both that consumers are protected in the evolving telecommunications sector and that workers' views are considered in an ever-changing industry.

Throughout her career in advocacy and public service, Ms. Sohn's career in advocacy and public service has equipped her with the credentials and expertise to serve as an FCC Commissioner. The Senate should not allow this nomination to be sacrificed by Senate Republicans hoping to score political points by smearing this highly qualified nominee. We urge you to support a quick vote in support of her nomination.

Sincerely,

William Samuel

Director, Government Affairs





April 26, 2022

The Honorable Mark Kelly United States Senator for Arizona Hart Senate Office Building, Suite 516 **United States Senate** Washington, DC 20510

> Nomination of Gigi Sohn Re:

Dear Senator Kelly:

On behalf of Smith Bagley, Inc., we write to encourage you to support President Biden's nomination of Gigi Sohn to be an FCC Commissioner. As one of the largest employers in Apache and Navajo counties, serving over 100,000 voice and broadband subscribers for nearly thirty years, we have a long history of advocacy at the FCC and Congress in support of investments in broadband infrastructure on remote Tribal lands, as well as initiatives to connect Tribal residents. We have followed Ms. Sohn's long career as an advocate for the public interest and throughout her tenure as an advisor to former Chairman Tom Wheeler. Our experience will hopefully be instructive in your deliberations.

As you know, Ms. Sohn has made a career advocating on behalf of consumer interests, including the principle that all Americans should have access to high-quality broadband at reasonable prices, which principle Congress enshrined in Section 254(b)(3) of Telecommunications Act of 1996. She has been an unwavering advocate for investments in rural broadband, as well as measures to improve broadband affordability in both rural and urban areas.

Specifically, Ms. Sohn was a principal advocate for broadband provisions in the Infrastructure Investment and Jobs Act ("Jobs Act"), including the \$42.5 billion BEAD Program and an additional \$2.5 billion for broadband deployment on Tribal lands. As you know, COVID-19 has had outsized effects on Tribal communities and SBi has borne a significant burden to expand broadband access in some of the most difficult to serve areas in the nation at a time of sharply increasing demand. These Jobs Act provisions will provide carriers like SBi, as well as Tribal governments, with an opportunity to close the Digital Divide over the next several years in areas most in need of broadband investment.

Ms. Sohn's advocacy has improved the 2021 Appropriations Act's Emergency Broadband Benefit Program, which provides a direct subsidy to assist low-income households in accessing

Hon. Mark Kelly April 26, 2022 Page 2

high-quality broadband connectivity. Congress set the subsidy for households on Tribal lands at \$75, an amount sufficient to allow the purchase of high-quality broadband that is needed to meet the challenges of COVID-19. When Congress renewed and extended the EBB Program in the Jobs Act (renaming it the Affordable Connectivity Program), it retained the \$75 benefit for Tribal lands, in large measure due to Ms. Sohn's advocacy on behalf of Tribal interests. This program has enabled SBi to invest in its broadband infrastructure to improve fixed and mobile broadband services in remote Tribal lands locked down during the COVID emergency. In our experience, it is no stretch to say that Tribal households are better off than they would have been without Ms. Sohn's advocacy over the past two years.

In 2014-2016, SBi asked the FCC to modify its universal service support programs to specifically target support for infrastructure investment to those remote Tribal areas most in need across the United States. As an advisor to Chairman Wheeler, Ms. Sohn worked to find a solution to the FCC's underinvestment of universal service support in remote Tribal lands. Although our advocacy did not yield a change in FCC policy before Mr. Wheeler's term concluded, we continue to be grateful for the guidance she provided with respect to the administrative process and her work inside the agency to improve broadband on remote Tribal lands.

We note here that we do not support all of Ms. Sohn's views on issues facing our industry. This should not be surprising, as no nominee is 100% acceptable to every regulated entity. What is important is the fact that Ms. Sohn is perhaps the most qualified nominee that President Biden could have chosen. She understands the entire range of industries the FCC is authorized to regulate and would bring intellectual rigor to a set of tasks that have only become much more complicated over time. Taken alone, her sense of urgency with respect to the need for investments in rural broadband infrastructure should be sufficient to gain the support of rural state senators.

Lastly, and perhaps most important to your consideration, Ms. Sohn is a courageous defender of the First Amendment. In the current environment, the fact that media outlets leaning both left and the right support her is remarkable. At this critical time in our nation's history, when free expression is most needed, the FCC will be well-served by Ms. Sohn's willingness to defend our Constitution's most important Amendment.

Hon. Mark Kelly April 26, 2022 Page 3

Accordingly, we urge you to vote in favor of Ms. Sohn's nomination and to encourage other senators to do the same. Should you have any questions about this letter, please call any time.

Sincerely,

Smith Bagley, Inc.

Kevin B. Frawley,

Chairman of the Board

pt / fix

Justin E. Hinkle,

President

### THE NAVAJO NATION

### JONATHAN NEZ | PRESIDENT | MYRON LIZER | VICE PRESIDENT



April 19, 2022

The Honorable Kyrsten Sinema United States Senate 317 Hart Senate Office Building Building Washington, DC 20510 The Honorable Mark Kelly United States Senate 516 Hart Senate Office Washington, DC 220510

RE: Support for Gigi Sohn as Commissioner

Dear Senators Sinema and Kelly:

As President of the Navajo Nation, I write today to express our support for a fully functioning Federal Communications Commission (FCC) and our support of President Biden's nomination of Gigi Sohn to be a Commissioner at this agency which is so important to the cultural, educational, and economic, development of our community as we seek to ensure access to broadband across our reservation.

As you are keenly aware, access to broadband on Tribal lands lags well below the national average and, our Tribal communities are the least-served communities in the Nation. As I testified before Congress last year, over half of our 110 Navajo communities lack access to any broadband. I emphasized that the Navajo Nation needs ubiquitous broadband along with reliable power and water to preserve our cultural heritage and traditions and sustain the Navajo Nation. Connectivity is how education, business, and other initiatives are promoted and sustained in the world we live in and and high-speed broadband is critical. To have far-reaching broadband deployment and availability across the Nation will require governmental incentives and subsidies to the private carriers.

I appreciate the efforts by Congress to provide Tribally-specific funding in the recently passed Infrastructure Investment and Jobs Act, and specifically your leadership in advancing this important legislation. But more will need to be done and the place charged with accomplishing the mission of ensuring all Americans have access to broadband is the FCC. For that reason, it is important that we ensure it is a fully functioning FCC, equipped with all five commissioners to make the critical decisions that lie ahead, such as broadband mapping, long term funding through universal service, spectrum access on Tribal lands, and other important missions of the agency.

The FCC plays a critical role and President Biden's nominee, Gigi Sohn, will be an excellent champion for the needs of our nation's Tribal communities. As an advocate, Ms. Sohn has sought to ensure ubiquitous access to broadband and has visited Tribal communities in Arizona

to get a first-hand perspective on the challenges we face in obtaining access. She has been a tireless advocate for ensuring that broadband is affordable, promoting the need for programs, such as the Emergency Broadband Benefit Program and its successor, the Affordable Connectivity Program--both designed to help low-income families get access to broadband once it is available. She has also recognized the need to empower Tribal residents with selfdetermination, promoting greater access to spectrum for Tribal communities and more funding for building out broadband on Tribal lands. In short, Ms. Sohn represents exactly what is needed in a commissioner to the FCC. She is a person that deeply cares about marginalized communities like ours, and beyond caring, she wants to make certain our Nation's policies are working to correct these disparities. I firmly believe that her values, her understanding, and her commitment to getting things done will be an asset that will yield substantial dividends in making the FCC's policies more reflective of the needs of our Navajo Nation and the nation as a whole.

We thank you for the opportunity to weigh in on this important legislation and look forward to working with your offices in the future. Should you or your staff have any questions, please contact Maxine Hillary, Acting Executive Director of the Navajo Nation Washington Office, at (202) 763-4890 or by email at mhillary@nnwo.org. Ahéhee' and thank you.

Myron Lizer, Vice President

THE NAVAJO NATION

Sincerely,

Jonathan Nez, President

THE NAVAJO NATION

April 19, 2022

Senator Charles Schumer Majority Leader United States Senate 322 Hart Senate Office Building Washington, DC 20510

Dear Senator Schumer:

The National Tribal Telecommunications Association (NTTA) wishes to express its support for the nomination of Gigi Sohn to the Federal Communications Commission (FCC).

NTTA consists of Tribally-owned communications companies serving Tribal communities in Arizona, New Mexico, Oregon, South Dakota, Idaho, and Montana. Our communications and broadband providers include Cheyenne River Sioux Telephone Authority, Fort Mojave Telecommunications, Inc., Gila River Telecommunications, Inc., Hopi Telecommunications, Inc., Mescalero Apache Telecom, Inc., Saddleback Communications, San Carlos Apache Telecommunications Utility, Inc., Siyeh Communications, Tohono O'odham Utility Authority, and Warm Springs Telecom, Nez Perce Tribe, Sacred Wind Communications as well as associate members Alaska Tribal Broadband and Spokane Tribe Telecom Exchange. NTTA's mission is to be the national advocate for telecommunications service on behalf of its member companies and to provide guidance and assistance to members who are working to provide modern telecommunications services to Tribal lands.

As you are aware, Tribal communities are the least-served in the country and face real affordability issues when broadband service is available. Ms. Sohn has previously made certain that she learned of the challenges faced on Tribal lands. She spent time learning directly from Tribal governments about their needs and visited some of our member companies' Reservations, including the Gila River Indian Community, to see first-hand what those challenges looked like. She took that knowledge and experience back to the FCC to help inform its proceedings.

Ms. Sohn is a long-time advocate for rural broadband who understands the importance of affordable and robust communications services for all communities, including those in Indian Country. Confirming Ms. Sohn to the FCC will help Tribal and other rural areas of the United States realize the promise of equal access to broadband services and all that these services entail.

Please feel free to call on us for further information or any assistance you may need.

Sincerely,

Godfrey Enjady President



April 15, 2022

Sen. Kyrsten Sinema 317 Hart Bldg. Washington DC 20510-0304

Sen. Mark Kelly 516 Hart Bldg. Washington DC 20510-0303

Dear Senators Sinema and Kelly,

As the CEO and General Manager of Gila River Telecommunications Inc., I write today to urge you to vote for Gigi Sohn to be the fifth commissioner at the Federal Communications Commission (FCC) so it can undertake the important work of expanding access to affordable, reliable broadband that is critical to the economic, educational and cultural development of the Gila River Indian Community and other tribal communities.

The Gila River Telecommunications, Inc. (GRTI) is chartered by our Tribal government to ensure that residents in the Gila River Indian Community have access to communications services. In the past that meant telephone service; today we are striving to bring broadband to every resident in the Community. We are doing so in a way that not only ensures the facilities for delivering broadband reach our residents, but also by ensuring our Tribal residents can afford the service and devices that are needed to connect. GRTI is proud of the efforts we are undertaking as a participant in the FCC's Affordable Connectivity Program (ACP) and as that program moves forward, we will need a strong commissioner like Ms. Sohn to help ensure it is truly meeting the needs of the low-income families it serves.

Additionally, access to broadband on Tribal lands lags well below the national average and the Gila River Indian Community is no exception. In 2015, when serving at the FCC, Ms. Sohn took time to visit our Community. In that visit, she sat with our Board to learn about the needs of GRTI in overcoming barriers to deployment and adoption so that she could use that information to help inform better decision-making by the FCC. She also toured the Community to see the challenges GRTI faces in delivering broadband to our residents and the tools we use to try to overcome those challenges. As we explained

to her at the time, the FCC plays a vital role in helping GRTI meet the communications needs of the Community. That remains true today. The FCC has a vital role to play in ensuring the funding for deployment provided in the bipartisan infrastructure package can be made available to companies like GRTI in that the FCC will not only be coordinating with the National Telecommunications and Information Administration (NTIA), but the FCC must complete its map prior to funding being released for deployment projects. Ms. Sohn will be a critical vote to ensuring the FCC's mapping project is done and done expeditiously.

GRTI appreciates very much your efforts to provide Tribal-specific funding in the recently passed Infrastructure Investment and Jobs Act, and specifically your leadership in advancing this important legislation. As the implementation phase of the legislation begins, it is important that we ensure it has a fully functioning FCC, one equipped with all five commissioners to make the critical decisions that lie ahead, such as long-term affordability, broadband mapping, the future of universal service, spectrum access on Tribal lands and other important missions of the agency. Ms. Sohn understands what an important role the FCC plays in helping tribal and other traditionally disadvantaged communities get connected because she cares personally about closing the digital divide for these communities. That is a quality that we need in an FCC commissioner. Please vote to confirm Ms. Sohn to the FCC.

Best regards,

James D. Meyers

CEO/General Manager

Gila River Telecommunications, Inc.

James D. Meyers















April 7, 2022

The Honorable Charles Schumer Majority Leader, U.S. Senate Washington, DC 20510 The Honorable Mitch McConnell Minority Leader, U.S. Senate Washington, DC 20510

Re: Confirmation of Gigi Sohn for Commissioner, Federal Communications Commission

Dear Majority Leader Schumer and Minority Leader McConnell:

We are writing as a collection of trade associations representing a broad cross-section of the innovation economy to urge the Senate to move expeditiously to confirm Gigi Sohn as Commissioner of the Federal Communications Commission (FCC).

Together, our members include established and ascending companies in consumer-facing and business-to-business technologies, software, information and education services, as well as emerging technologies such as virtual reality and artificial intelligence, supporting tens of thousands of jobs and driving U.S. leadership in innovation. Our members rely on a functioning FCC fully staffed at the Commissioner level to advance regulatory items critical to our ability to help promote a strong economy and maintain our nation's competitiveness.

While we may have disagreements with Sohn on specific issues, we firmly believe she is highly qualified for the position. Sohn has extensive experience in technology and telecommunications policy and a long record of seeking bipartisan solutions. Moreover, she is widely respected as a passionate defender of free speech, a pragmatic thinker, a supporter of substantive and open debate, and a strong advocate to expand access to affordable broadband and critical technologies, values we believe are highly desirable for an FCC Commissioner.

The absence of a fifth Commissioner hamstrings the agency when U.S. leadership on technology policy is most needed. As authoritarian regimes around the world move to supplant U.S. leadership and restrict access to an open and free internet, we must ensure the U.S. government is well positioned to thoroughly consider and advance policies that promote democratic values.

We recognize that the Senate has a busy calendar filled with pressing national issues. We are hopeful that debate over Sohn can move quickly given the Commerce Committee's vote to advance her nomination and her strong qualifications. We respectfully encourage her swift confirmation.

Sincerely,

Gary Shapiro President and CEO

Consumer Technology Association

Adam Kovacevich Founder and CEO Chamber of Progress

Todd Thibodeaux President and CEO

CompTIA

Matt Schruers
President
Computer & Communications Industry
Association

Christian Dawson
Executive Director

Internet Infrastructure Coalition

Chip Pickering

CEO

**INCOMPAS** 

Shirley Bloomfield

CEO

NTCA—The Rural Broadband Association

cc: The Honorable Maria Cantwell, Chair, Senate Committee on Commerce, Science, and Transportation

The Honorable Roger Wicker, Ranking Member, Senate Committee on Commerce, Science, and Transportation



### **BROADBAND AND TECHNOLOGY**

# Commentary: Rural America Needs Gigi Sohn at the FCC

Sohn has repeatedly stood up for efforts to improve broadband in rural communities. The Senate needs to vote on her nomination now.

by **Chad Rupe** March 28, 2022



Gigi Sohn testifies before the Senate Commerce, Science and Transportation Committee on February 9, 2022., during her nomination hearing. The full Senate has not voted on her nomination to serve on the Federal Communications Commission. (AP Photo/Susan Walsh, Pool)

This summer, as part of the bipartisan infrastructure law, Congress provided \$65 billion to ensure that every American has affordable and robust broadband internet. While the details were heavily debated, there was

no argument that broadband is a necessity, and that the government had to make a big bet to get everyone connected, no matter who they are or where they live. The need is particularly great in rural America, where tens of millions of households still lack broadband at the bare minimum speeds and where broadband is vital to the economy, the education system, the agricultural sector, and to the provision of health care services.

But the goal of universal broadband for every American household won't be accomplished until the Federal Communications Commission (FCC) is at full strength. President Biden has nominated long-time consumer advocate and communications policy expert Gigi Sohn to fill this role, but she has not yet been confirmed. The Senate should do so without delay.

There is no doubt that Sohn is dedicated to ensuring that everyone in rural America is connected. She worked with industry and members of Congress to help develop what is now the \$14 billion Affordable Connectivity Program, which provides financial support for low-income Americans and those living on tribal lands to obtain access. She also worked to help shape the bipartisan infrastructure bill, which provides over \$45 billion to deploy broadband in rural America and tribal lands and another nearly \$20 billion to ensure that low-income households can afford broadband and have the skills and the means to use it.

Some have taken Sohn's public statements out of context in an effort to portray her as somehow not supportive of rural broadband deployment. But nothing could be further from the truth. What her statements reveal is that she has been critical of the FCC for not ensuring that past federal investments served the long-term interests of rural communities. For example, in a 2021 speech she gave to the Association of Public and Land Grant Universities, Sohn said:

"Over the past decade, the FCC...has spent well over \$50 billion to build out broadband networks in rural areas. That's probably enough money to build fiber-optic networks to every rural home and business in the country. What return has the American ratepayer gotten on her investment? Painfully slow networks and....42 million Americans who still don't have broadband available to them at any price."

Gigi Sohn believes that the FCC, as well as other federal and state agencies, must adopt best practices to ensure that those who receive government funding deploy future-proof broadband networks in rural America in a timely manner. For example, she has urged government agencies to carefully oversee the building of those networks and that they hold accountable those network providers who don't keep their promises. To be sure, Sohn has been critical of big companies that haven't kept their promises, which some of them have done multiple times. But that criticism has been in service of getting more and faster broadband to rural America quickly.

We must ensure this once in a lifetime investment by Congress in broadband does not go to waste. To do that, we need government officials like Gigi Sohn to make sure that these investments accomplish Congress' goal of universal broadband.

Chad Rupe recently served as Rural Utilities Service Administrator at USDA as a presidential appointee for President Trump. He led the successful development and deployment of the ReConnect program and Smart Grid under the 2018 Farm Bill.

### LICT CORPORATION

### EVELYN C. JERDEN SENIOR VP – REGULATORY DYNAMICS

March 28, 2022

The Honorable Mark Kelly U.S. Senate Washington, D.C. 20515

Re: Gigi Sohn's Confirmation as an FCC Commissioner

Dear Senator Kelly:

As a resident of Arizona, I am writing on behalf of myself and LICT Corporation ("LICT") to enlist your support for the confirmation of Gigi Sohn to serve as a Commissioner at the Federal Communications Commission ("FCC" or "Commission"). As your constituent, I have Arizona's best interests at heart. Confirming Ms. Sohn to serve as an FCC Commissioner, is not only in the best interests of Arizona but of all Americans, including those in rural areas and on Tribal lands.

LICT, together with its multiple subsidiaries that provide telecommunications services across the United States, including in rural parts of Kansas, Giant Communications, Inc., and New Mexico, Western New Mexico Telephone Company, is an integrated provider of broadband and voice services. In providing broadband, LICT provides high-speed broadband services via DSL, fiber optic facilities, fixed wireless, and cable modems. LICT also provides video, Voice over Internet Protocol (VoIP), and wireless voice communications services. As a voice service provider, LICT has operated as both a Rural Local Exchange Carrier ("RLEC") and a Competitive Local Exchange Carrier ("CLEC").

Serving as Senior Vice President – Regulatory Dynamics at LICT Corporation and as a member of the FCC's Rural Task Force has enlightened me to not only the struggles and challenges that LICT's subsidiaries face in deploying adequate broadband and voice services to consumers but to the similar obstacles that many Arizonans face in obtaining sufficient broadband connection and reliable voice services. Based on her track record as an advocate for consumers and her previous experiences in the FCC, Ms. Sohn would help ensure that the urban, rural, and Tribal voices of Arizona are heard and their interests protected.

Ms. Sohn is more than qualified to serve as an FCC Commissioner. For over 30 years, Ms. Sohn has relentlessly served the public interest and helped keep Big Tech in check. She is an advocate for all consumers, including urban, rural, and Tribal residents of Arizona, and has worked tirelessly to close the digital divide. She previously served as an advisor to FCC Chairman Tom Wheeler and in that role Ms. Sohn advised the chairman on a multitude of telecommunications, internet, and media issues.

Office: 5018 N Marlin Canyon Place, Tucson, AZ 85750 520-577-9864 Ejerden@lictcorp.com

Corporate: 401 Theodore Fremd Avenue, Rye, NY 10580 914-921-8821; FAX 914-921-6410

In terms of issues that directly affect residents of Arizona, Sohn has expressed her intention to support the FCC's Enhanced Competition Incentive Program that would prioritize the spectrum needs of rural and Tribal areas in Arizona. Sohn also has also pledged to work with the other Commissioners and staff, once confirmed, to quickly complete the broadband mapping process. A completed broadband mapping process will allow the Bipartisan Infrastructure Law's ("BIL") broadband programs, to move forward, which would be crucial for Arizonans living in rural and Tribal areas. While NTIA and the States have the main roles in overseeing the BIL, the FCC also has a role and it is critical for the FCC to be fully functioning with all five Commissioners working to support implementation of the BIL. Sohn also supports FCC and Congressional cybersecurity efforts to ensure that rural and Tribal carriers and entities are adequately notified of security threats without overburdening them with onerous reporting requirements and will work to ensure that broadband providers are prepared to handle threats.

A wide variety of trade associations have expressed their support for Gigi Sohn's confirmation including the WTA – Rural Broadband Advocates, the Satellite Industry Association, the Fiber Broadband Association, the Rural Wireless Association, NTCA – The Rural Broadband Association, the Alarm Industry Communications Committee, and the Consumer Technology Association. From a rural and Tribal broadband perspective, Gigi Sohn is a known quantity and would be pro rural and Tribal and stand up to Big Tech and the cable companies. We need to work together quickly to ensure her confirmation. LICT eagerly awaits a scheduled date for Sohn's confirmation vote and your support of her confirmation.

Respectfully submitted,

Evelyn C. Jerden

Evelyn C. Jerden Senior Vice President – Regulatory Dynamics LICT Corporation (520) 577-9864 Ejerden@lictcorp.com  $https://www.wvgazettemail.com/opinion/op\_ed\_commentaries/crystal-good-closing-the-digital-divide-in-wv-starts-with-fcc/article\_4f53c09a-c41d-530d-a17c-80b3a164843b.html\\$ 

### Crystal Good: Closing the digital divide in WV starts with FCC $\,$

By Crystal Good Mar 26, 2022



Crystal Good crystal good new As a sixth-generation West Virginian who makes a living as a poet, performer, policy advocate and publisher of a small news and media organization (Black by God, the West Virginian, BBG for short) I am aware of West Virginia's ubiquitous challenges.

From education to health care, most of our problems could find relief in connectivity.

BBG's readers and contributors tell me they have to use fast-food parking lots for WiFi to access <u>BlackByGod.org</u> and help their kids with homework.

Media and broadband have been top of mind for me for years. So much so that in 2008 I launched a campaign as "Social Media Senator for the Digital District of West Virginia," which was part performance art and part keeping it real. My ambition then and now is digital and political literacy with equity. My character, Social Media Senator, makes an appearance here and there, but the not-so-funny joke she tells is that her constituents have to write snail-mail letters asking for broadband.

Last year, Congress passed and President Biden signed an infrastructure bill that committed \$65 billion to expanding broadband – including the biggest-ever investment in programs to make accessing the internet more affordable. But West Virginians know all too well that doesn't mean they'll benefit. The devil is always in the details.

And that's where the Federal Communications Commission comes in. The FCC is the independent government agency tasked with making sure the billions actually reach those who need it most. The decisions the FCC makes will shape whether West Virginia can actually get reliable broadband. West Virginia is one of the least broadband-connected states in the country. We also consistently rank among the poorest states where nearly one in five West Virginians and one in three Black West Virginians live in poverty.

The FCC could help get and keep more West Virginians connected to the internet – but right now the agency is deadlocked because the Senate is slowing the appointment of the agency's commissioner.

President Biden nominated a proactive, consumer-focused FCC Commissioner named Gigi Sohn, who will not only support access to broadband in underserved West Virginia communities but will be a champion for diversity in tech and media ownership. Her long record of public service means she has made a few enemies in the telecom industry. And they're trying to slow down or derail her appointment however they can.

Enter Mike Oliverio, a longtime West Virginia politician who switched parties from Democrat to Republican in 2018 and recently published an op-ed against Sohn's nomination. Oliverio's opinion piece circulated across West Virginia's predominantly white male owned and white led media platforms. His piece reminded me of what Black media makers across America's history have always done, tell another side, create another record.

As a Black media maker in West Virginia, broadband is more than a convenience; it is a lifeline to the world. Broadband is just one of many issues in West Virginia that rarely centers around Black people. According to an ACLU West Virginia study in Mingo County, where Black people make up a relatively high proportion of the population, nearly 25% of households have no internet or access to a computer, smartphone or tablet.

And COVID has made the digital divide even worse. Oliverio's opposition to President Biden's nomination of a qualified and competent FCC Commissioner is not surprising. It reads like all the other West Virginia GOP/industry talking points that speak against the emergency of need for West Virginia's BIPOC communities. I fear that Oliverio's dismissal of Sohn has less to do with her qualifications and more to do with the trope and tired discrimination and grudge because Sohn worked for the Obama administration.

West Virginia politicians still lean into the pejorative "Thanks Obama," usually just after a "Let's Go, Brandon." Oliverio claims that Sohn's "radical left-wing viewpoints" could endanger expanding broadband in rural communities. Her actual track record is a long one of advocating for an open internet and closing the digital divide. Which is why even West Virginia state Delegate Daniel Linville, a Republican and chair of the Tech and Infrastructure Committee, wrote a letter of support of Sohn with other GOP leaders. West Virginia is disconnected in many ways.

In his misguided attacks on Sohn, Oliverio failed to mention the hundreds of millions of dollars in federal money sent to serve West Virginia now under investigation because of chronic poor service and misuse of funds. Federal government administrators demanded West Virginia return \$4.7 million after discovering Frontier had charged the state unreasonable fees. The case is still being litigated.

Top line here is that Gigi Sohn can help West Virginia help West Virginia. She has dedicated her career inside and outside the FCC and has worked to close the digital divide. She knows how poorly the cable and phone companies have served places like West Virginia, how the high cost of broadband has put it out of reach for people who need it — and that's exactly why the industry lobbyists are trying to derail her nomination.

They want a lapdog, not a watchdog, and they want to delay a fully functioning agency as long as possible.

Sohn would be the fifth and deciding vote on anything worth doing at the FCC — including incredibly important decisions on how the federal government will spend and distribute billions passed in the bipartisan infrastructure bill dedicated to making broadband more affordable.

Hundreds of organizations from every corner of the country — including the Leadership Conference on Civil and Human Rights, the AFL-CIO, Color of Change, and the United Church of Christ — have lined up to support Sohn.

Do your Googles, if you got 'em. There are dozens of letters of support from across the political spectrum collected by the public-interest group Free Press.

One letter of support that stands out to me is from former FCC Commissioner Gloria Tristani, a special advisor to the National Hispanic Media Coalition. Tristiani reminds us that the numbers continue to show that Latinos, Black people and Native Americans are less likely to have quality home internet connections than white people, even when controlling for income and other factors.

Tristani endorses Sohn because of her long record of standing up to powerful companies and fighting for the public interest on issues like net neutrality, broadband expansion, protecting privacy and media ownership diversity. Sohn has the legal and technical expertise to do the job. She knows how to get things done in a federal bureaucracy, but she has never worked for industry, so she's not beholden to them.

Sohn is a moderate who has a long record of working in strange-bedfellow coalitions, reaching out to industry players, and listening to all sides.

I hope West Virginia's leaders – starting with Sen. Joe Manchin, a deciding vote on just about everything in front of the Senate – do the right thing and support Sohn, an incredibly well-qualified public servant, so the FCC can finally get to work and actually help the people of West Virginia.

West Virginia needs Gigi Sohn confirmed and a fully functioning FCC to close the digital divide, and America needs a thriving West Virginia.

Crystal Good is a sixth-generation West Virginian, Affrilachian artist and digital media entrepreneur.

**Opinion** 



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# PTC Supports Senate Confirmation of Gigi Sohn as FCC Commissioner

Written by PTC | Published February 9, 2022

LOS ANGELES (February 9, 2022) – The <u>Parents Television and Media Council</u> (PTC) has endorsed the confirmation of Gigi Sohn to be the third democrat on the Federal Communications Commission (FCC). Sohn's nomination was announced by President Biden in October, but a confirmation vote has not yet been held either at the Commerce Committee level or by the full Senate.

"I've had the pleasure to know Gigi for many years, and to work together with her on issues of mutual interest and concern. I cannot think of a candidate who would be more familiar, and more abreast, of the myriad and very complicated issues that come before the Commission. She has always been a straight shooter, she has always listened, and she has always carefully considered whatever we had to say. And while we may agree or disagree on a specific issue, she has demonstrated an unwavering commitment to base policy decisions not on what best serves a particular industry, but on what best serves the public interest. That's exactly the perspective parents and families urgently need at the FCC. We call on the Senate to confirm Gigi Sohn's nomination," said PTC President Tim Winter.

"Much is said about the revolving door between government regulators and the industries they regulate, and rightly so. That's why Gigi's nomination is so refreshing. Rather than serving the corporate interest, her career has been dedicated to serving the public interest, and to holding powerful industries publicly to account. It comes as no surprise that certain industry sectors are working against her confirmation, or to impose material encumbrances on her if she is confirmed. That opposition underscores the importance of bringing her perspective to the FCC's leadership team.

"For those Senators on both sides of the aisle who have previously – and rightly – advocated for the confirmation of a nominee who is indisputably well-qualified but who faces fierce partisan opposition, we call on you to heed your own words. Gigi Sohn is exceptionally well-qualified to serve our nation as an FCC Commissioner, and she should be confirmed to serve in that capacity free from any recusals or encumbrances foisted upon her by the very industry over which the Commission has regulatory authority," Winter said.

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February 7, 2022

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National Congress of American Indians Maria Town American Association of

Randi Weingarten
American Federation of Teachers
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Asian Americans Advancing Justice |

Interim President and CEO Wade Henderson

AA.IC

People with Disabilities

## SUPPORT SWIFT CONFIRMATION OF SOHN TO FEDERAL COMMUNICATIONS COMMISSION AND BEDOYA TO FEDERAL TRADE COMMISSION

Dear Majority Leader Schumer and Commerce Committee Chair Cantwell:

On behalf of 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, UnidosUS, the nation's largest Latino civil rights and advocacy organization, and the National Urban League, a historic civil rights organization dedicated to economic empowerment in order to elevate the standard of living in historically underserved urban communities, we write to convey our strong support for confirmation of Gigi B. Sohn and Alvaro M. Bedoya to serve as commissioners, respectively, of the Federal Communications Commission (FCC) and Federal Trade Commission (FTC). We urge the Senate Committee on Commerce, Science and Transportation to quickly report both nominations to the full Senate favorably and the Senate to promptly confirm both nominees.

Our coalition is committed to ensuring that media, telecommunications, competition, consumer protection, and privacy policy affirms and extends our nation's longstanding commitment to civil rights. Both the FCC and FTC have been operating without a full complement of commissioners since the start of the Biden/Harris administration. The need for swift action on these nominations is therefore critical as further delay will harm implementation of key civil rights priorities.

The FCC is currently implementing key provisions of the Infrastructure Investment and Jobs Act, including the new Affordable Connectivity Program, as well as the directive to prohibit digital discrimination. To ensure our nation's broadcasting industry is diverse, competitive and serves local communities, the FCC must act quickly to complete the 2018 Quadrennial Review and initiate and complete the 2022 Quadrennial Review in a timely manner. The FCC must also take further steps to address the dysfunctional market and unjust practices in incarcerated communications and implement Congress' directive to collect equal employment opportunity data in broadcasting.

The FTC's responsibility to protect and enhance competition and consumer protection is particularly important as much of our economy moves online. With a full complement of commissioners, the FTC can better enforce existing law against online discrimination based on protected characteristics with respect to housing, access to credit, education, employment, and public accommodations; enforce unfair and deceptive practices in the data economy; and provide for algorithmic transparency and fairness in automated decisions.



Both Ms. Sohn and Professor Bedoya are exemplary nominees for their respective positions and should be swiftly confirmed. Throughout her career, Ms. Sohn has dedicated herself to the public interest, whether through her service on the Presidential Advisory Commission on the Public Interest Obligations of Digital Television Broadcasters, her advocacy for policies that promote diversity and competition in the non-profit sector, or her time at the FCC as a senior counselor to the chairman. An influential scholar focused on the principle that privacy is a civil right, Professor Bedoya is exactly the leader our country needs right now at the FTC to address the many issues relating to technology that marginalized communities face. He was notably one of the first to warn of the risks of facial recognition technology, including by comprehensively pointing out the technology's biases with race, gender, and age. The Leadership Conference also worked closely with Professor Bedoya in urging Google to ban online ads for predatory payday loans, which the company ultimately did.

Both nominees have shown they will establish a collaborative process and dialogue with the civil rights community as well as consult with the community members who are often left out of FCC and FTC deliberations, including people of color, people with disabilities, low-income communities, immigrants, incarcerated individuals, and other marginalized communities. In addition, both nominees would bring diversity to their respective institutions. If confirmed, Ms. Sohn would be the commission's first openly LGBTQ commissioner. As a naturalized citizen born in Peru, Professor Bedoya would be one of the few Latinos to serve as commissioner on the FTC.

Ms. Sohn and Professor Bedoya are highly qualified, possess deep knowledge of the challenges faced by disadvantaged populations, and have a demonstrated commitment to collaboration with civil rights stakeholders. The civil rights agenda at the FCC and FTC requires rapid, focused attention. For these reasons, the Senate Committee on Commerce, Science and Transportation should move quickly to report these nominees favorably to the full Senate and the Senate should swiftly confirm them. Should you have any questions, please contact Leadership Conference Media/Telecommunications Task Force Co-Chair Cheryl Leanza, United Church of Christ Media Justice Ministry, at <a href="mailto:cleanza@alhmail.com">cleanza@alhmail.com</a>, or Anita Banerji, Leadership Conference Media/Tech Senior Program Director at <a href="mailto:banerji@civilrights.org">banerji@civilrights.org</a> or Bertram Lee, Jr., Media/Tech Counsel, at <a href="mailto:lee@civilrights.org">lee@civilrights.org</a>.

Sincerely,

Wade Henderson

Wat Tasken

Interim President and CEO

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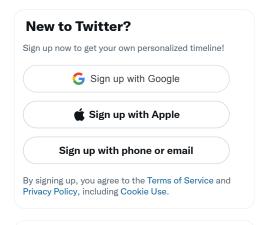
February 7, 2022 Page 3 of 3

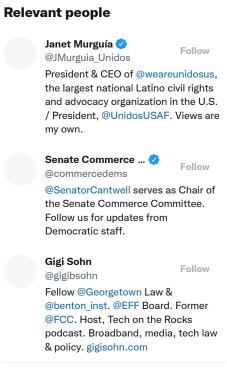


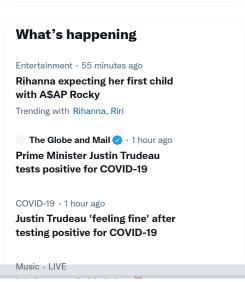
Marc Morial

President and CEO, National Urban League









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### Enough Is Enough: The Senate Should Stop Playing Games And Confirm Gigi Sohn

from the the-fcc-has-work-to-do dept

Tue, Jan 25th 2022 10:16pm - Christopher Shelton

Joe Biden entered office a year ago with a mandate to end corporate control of our government by establishing programs to benefit working families and by appointing qualified public servants to execute and oversee those programs.

#### **Politics**

We anticipated all along that Mitch McConnell would resort to his usual tactics and use the Senate filibuster rules to undermine President Biden's legislative agenda. Appointments should have been a different story. Nearly a decade has passed since Senate Democrats put an end to the filibuster for executive nominations, yet Republicans, on behalf of their corporate sponsors, continue to abuse the confirmation process, preventing President Biden from fulfilling his promises to the American people. Senate Democrats should recognize these games for what they are, stop enabling the obstruction, and move forward on approving President Biden's highly qualified nominees.

Take, for example, the nomination of Gigi Sohn to the Federal Communications Commission. Sohn's strong credentials include co-founding the communications policy advocacy organization Public Knowledge and serving as counselor to former FCC Chairman Tom Wheeler. She is known as a long-time, tireless advocate for the expansion of affordable internet access - one of the key issues on the Democrats' agenda. There is currently a vacant seat on the FCC, and without a full commission it will be difficult to advance the policies necessary to expand affordable broadband service to the millions of American families left on the wrong side of the digital divide.

One person - Sen. Roger Wicker, the Ranking Member of the Senate Committee on Commerce, Science, and Transportation - is standing in the way.

Sen. Wicker is promoting the interests of his big corporate campaign donors by preventing a pro-consumer, pro-worker majority at the Federal Communications Commission. Ever since Gigi Sohn was nominated, he has come up with bogus reasons to delay her confirmation vote. During her confirmation hearing she answered questions for hours. She provided reams of written materials and followed up with answers to additional questions. Six weeks later, Wicker asked for yet more documents and suddenly announced that the committee needed to hold yet another confirmation hearing.

Why did he not request such documents in a timely manner? Why did he not submit written questions for the record, standard practice for the committee? Why did he not accept the conclusions of government lawyers who carefully reviewed the very documents he claims to now seek? Because it's not about getting answers. It's about standing in the way of a highly qualified nominee simply because he doesn't like the outcome of the last Presidential election. Sen. Wicker wants an FCC majority that puts corporate profits first, not one that considers what is best for consumers and workers in the industry and that listens to the majority of Americans - Republican and Democrat - who support net neutrality and universal broadband access.

Make no mistake. This is yet another Republican attempt to undermine our democratic system and the functioning of the federal government. They might not be scaling the Capitol walls, wearing face paint, threatening to hang elected officials who don't kowtow to their demands, and publicly parading confederate flags in the halls of the Capitol, but Senate Republicans are trying to undermine the 2020

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### Samuel Abram: [article]

Microsoft is acquiring Activision. I guess Microsoft is like Disney in their imperial acquisitions. Otherwise, Nintendo is like Disney.

Timothy Geigner: ..... more exclusive nonexclusives coming to a reality near you!

Samuel Abram: I would say this is the interactive/video-game equivalent of Disney buying Fox.

It's also strange that the definitions of "Big Tech" don't include Microsoft for some

It's also wild that Microsoft now owns former Sony (Crash and Spyro) and Nintendo (Rare)

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#### **Monday**

06:16 Wireless Industry Now Claims 5G Will Miraculously

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qualified nominees serving on federal agencies. We have seen time and time again that Republicans will use every trick in the book to prevent oversight of their powerful corporate benefactors.

Unfortunately, after the vote last week by the U.S. Senate, Republican obstructionists will continue to be able to use the legislative filibuster to block critical legislation that will improve the lives of millions of working Americans. But my union helped lead the successful effort during the Obama Administration to eliminate their ability to filibuster qualified and critical nominees so that the federal government can function on behalf of the American people.

That is why Senate Democrats must not give in to these outrageous and egregious efforts to draw out the already long confirmation process for qualified nominees like Gigi Sohn. They must recognize these games for what they are and reject the never ending requests for even more hearings when they have had ample time to ask their questions. Senate Democrats must move forward expeditiously to approve Gigi Sohn and President Biden's other highly qualified nominees.

Christopher M. Shelton is President of the Communications Workers of America (CWA)

Filed Under: congress, delay, fcc, gigi sohn, mitch mcconnell, roger wicker

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- 12:15 Courts (Again) Shoot Down Telecom Lobby's Attempt To Kill State-Level Net Neutrality Rules (4)
- 10:41 Georgia Sees Florida & Texas Social Media Laws Go Down In 1st Amendment Flames And Decides... 'Hey, We Should Do That Too' (48)
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### Marc H. Morial

President & CEO

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January 24, 2022

The Honorable Maria Cantwell Chair Committee on Commerce, Science and Transportation United States Senate Washington, D.C. 20510 The Honorable Roger Wicker Ranking Member Committee on Commerce, Science and Transportation United States Senate Washington, D.C. 20510

RE: The National Urban League's Support for Sohn FCC Nomination

Dear Chairwoman Cantwell and Ranking Member Wicker,

As President and CEO of the National Urban League, and on behalf of its 91 affiliates in 37 states and the District of Columbia, I write to urge the committee to swiftly consider and work with Senate leadership to confirm Gigi B. Sohn to serve as a commissioner on the Federal Communications Commission (FCC). As an historic civil rights organization that is dedicated to economic empowerment in order to elevate the standard of living in historically underrepresented urban communities, the National Urban League supports Sohn's nomination and believes she will advance civil rights, digital equity, and economic empowerment for communities of color and other underserved communities.

Our country continues to face stark disparities in the availability and adoption of broadband. The consequences of this digital divide have been amplified by the increased reliance on high-speed internet access during the COVID-19 pandemic. Through our Lewis Latimer Plan for Digital Equity and Inclusion, the National Urban League has recommended that the FCC, the broader Biden-Harris Administration, and Congress address these issues through broadband buildout, an affordable broadband and devices benefit, digital education, improved utilization of the internet for critical government services, and increased opportunities for communities of color to benefit from the economic prosperity of this digital age.<sup>1</sup>

If confirmed, Sohn's 30 years of experience on these issues at the Commission, as a former staff member and as an advocate and academic, will make her well-equipped to tackle these goals. Ms. Sohn has an exhibited commitment to equity that will benefit consumers and communities of color, as we seek to close the digital and economic divide. In particular, she has expressed interest in boosting media diversity and ownership, including through expansion of the broadcast incubator program beyond radio and via a reevaluation of the FCC's minority ownership rules as part of its 2022 Quadrennial Review.

<sup>-</sup>



The Honorable Maria Cantwell The Honorable Roger Wicker January 24, 2022 Page 2 of 2

At a time when the United States has committed \$65 billion to expanding affordable broadband access and programs, including the Affordable Connectivity Program, we need a full and active commission that is committed to ensuring that this funding is implemented equitably and with informed guidance from a broad range of stakeholders. The National Urban League sincerely urges you to advance Sohn's nomination quickly through the Senate.

For more information, please contact Joi Chaney, Executive Director of the Washington Bureau and Senior Vice President for Policy and Advocacy at <a href="mailto:jchaney@nul.org">jchaney@nul.org</a>.

Sincerely,

Marc. H. Morial

President and Chief Executive Officer

National Urban League



TECHNOLOGY, POWER, POLICY AND PEOPLE

# Our digital future needs a full FCC and Gigi Sohn

PUBLISHED JANUARY 24, 2022



Jim Kohlenberger is a former White House technology advisor who served two U.S. Presidents and sits on the board of the Benton Institute for Broadband & Society.

Among the crazy viral videos making the rounds last year, <u>one</u> shows a car careening down the highway trying to make progress with one of its front tires completely missing. You don't need to watch the video to know that you can't drive a car with a missing front tire. It's frankly laughable that someone would even try. Yet that's exactly the car the Federal Communications Commission (FCC) has been forced to drive for the past year, during one of the most consequential times in the history of communications.

We cannot navigate our digital future and make gains on the road to progress without a fully functioning, five commissioner FCC. The Biden Administration renominated Gigi Sohn and now the US Senate must move swiftly to confirm her as that 5th Commissioner so that the FCC can move expeditiously on its mission. We stand at the precipice of one of the most profound moments in our digital history. The coming

months will bring a set of critical FCC decisions that will define the scale, scope and speed of our digital transformation — impacting the breadth and potential of what we can achieve with our digital landscape for decades to come.

One of the most important and time-sensitive components is to deliver on what the US Congress has required – to rapidly deploy precise broadband maps to guide the once-in-a-lifetime investments Congress wisely included in the bipartisan infrastructure bill. We've got one shot at these maps and we are running out of time to do them, and do them right.

The FCC is also tasked with establishing the long-term framework for the new \$14.2 billion Affordable Connectivity Program — a huge and historic opportunity to craft smart rules to ensure that every American has the broadband they need to learn, work, and thrive. And the rest of the digital future won't wait either. The FCC also needs to develop a robust, effective and efficient spectrum strategy to realize the full promise and potential of our next-generation wireless future from 5G to beyond. The historic nature of these and a dozen other impactful FCC decisions will determine who, how, and when consumers can benefit from the vast digital opportunities just over the horizon. And the only way we get there is with an FCC firing on all cylinders with a full slate of Commissioners to balance, inform, and guide pragmatic policy choices across such a wide range of issues.

We are incredibly lucky that President Biden has nominated Sohn to fill the void at the FCC as she is by far one of the most capable and experienced communication policy leaders I've ever known. Over the last several decades, I've had the privilege to see firsthand her expertise and experience in advancing our digital future. She has been at the forefront of some of the most important communications policy issues for more than three decades, including efforts to close the digital divide, ensure every American has access to high quality broadband, and improve access for diverse voices.

While at the FCC under Chairman Wheeler, she helped modernize critical broadband programs that enabled the country to connect every school with high-speed broadband, connect every classroom with Wi-Fi, and vastly expand communications opportunities for low-income Americans. She's not only a policy expert, but also has an innate ability to find ways to bring divergent voices together, finding common ground, in ways that can advance pragmatic policy choices backed by broad consensus. It's no wonder she has received endorsements from leaders on both the right and the left as the most qualified candidate for Commissioner.

Almost a year in without all five commissioners at the table, it's time the Senate gives the FCC the full slate of qualified leaders it needs to drive our communication future forward by swiftly confirming Sohn without delay. In the race for our future, we simply can't afford to be one crucial leader down.



Jim Kohlenberger

Jim Kohlenberger is a former White House technology advisor who served two U.S. Presidents and sits on the board of the Benton Institute for Broadband & Society.



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What's Next for the Digital Services Act



# BUILDING POWER FOR LGBTQ+ WORKING PEOPLE

January 18, 2022

Senator Maria Cantwell, Chair U.S. Senate Committee on Commerce, Science and Transportation Washington, DC 20510

Senator Roger Wicker, Ranking Member U.S. Senate Committee on Commerce, Science and Transportation Washington, DC 20510

Dear Chair Cantwell and Ranking Member Wicker,

On behalf of Pride at Work, which represents LGBTQ+ union members and their allies, I write to strongly support Gigi Sohn for the role of Commissioner at the FCC and urge swift action on her nomination. Her meaningful leadership, dedication, and contributions cannot be overstated. She has been instrumental in the success of many FCC proceedings, including on competition, open internet, modernization of the Lifeline program, and adoption of strong privacy rules for broadband providers. Throughout her career, she has been a champion of workers and consumers.

Gigi Sohn has over 30 years of experience working on communications policy and has been an advocate for affordable internet access. She was a key ally of the labor movement in the fight to protect jobs during the T-Mobile/Sprint merger and supports efforts to hold broadband service providers accountable.

Pride at Work seeks full equality for LGBTQ+ workers in our workplaces and unions and works towards creating a Labor Movement that cherishes diversity, encourages openness, and ensures safety and dignity. Sohn has been a dedicated supporter of fast, affordable, and reliable broadband for all people, including the LGBTQ+ community, which is crucial for bridging the digital divide and ensuring full participation in social, economic, and political life.

Once confirmed, Gigi Sohn will be the first openly LGBTQ+ Commissioner of the FCC, and she will continue to be a staunch champion for workers and consumers. Sohn fully understands our complex telecommunications and media landscape, the importance of diversity and inclusion for all people, and will work diligently to ensure the views of the LGBTQ+ community are well represented in FCC decisions.

Gigi Sohn's voice, experience, knowledge, and expertise are needed on the FCC as it tackles major issues in the years ahead. Hence, we urge you to act quickly to confirm Gigi Sohn.

Sincerely,

Jerame Davis
Executive Director



#### Dear Senator Sinema:

I hope you are doing well and enjoying a healthy start to 2022. I am writing in support of President Biden's nomination of Gigi Sohn to serve as a Commissioner of the Federal Communications Commission (FCC).

Arizona is ranked 36<sup>th</sup> in the nation for broadband coverage. 31 percent of Arizonans are either underserved. This is not only a rural challenge. For example, the Phoenix, Arizona neighborhood of Maryvale, a densely populated, urban area, is underserved, with two-thirds of households without Internet.

Throughout the pandemic, broadband access has proven to be a key infrastructure investment that Arizonans understand is vital for advancing our education, healthcare, and workforce development. As Arizona's Research and Education Network the Sun Corridor Network (SCN) witnessed firsthand the difficulties in unserved and underserved communities as teachers and students sought to engage in education with insufficient capabilities. SCN worked diligently with schools, communities, and our university partners by providing mobile hotspots, wireless networking, and other technology, yet students in areas lacking broadband coverage were still challenged to access their classes. This was especially true on tribal lands.

Ms. Sohn's number one priority is getting robust broadband everywhere, to rural and urban areas and to tribal lands. When she was at the FCC she worked closely with the Office of Native American Policy and with tribal leaders. She has been very supportive of legislative and policy efforts to expand broadband deployment on tribal lands and to give tribes more control over spectrum on tribal lands. This includes, among other things, extending the 2.5GHz tribal priority window.

Ms. Sohn has supported the broadband infrastructure bill (Infrastructure Investment & Jobs Act), that requires states to provide funding to unserved areas first and then to underserved areas. Combined with funding from other bills passed by Congress in 2020 and 2021, there is a real opportunity to make enormous progress in closing the digital divide.

Ms. Sohn has a long history of reaching out to and sitting down with people who disagree with her position to try and find common ground. She has done so whether someone is from a different political party or from industry—even when doing so has put her at odds with some in the public interest community. I believe that Ms. Sohn is the best person to move the FCC forward and help close the digital divide.

I encourage you to support the nomination of Ms. Sohn to the open seat on the FCC to continue to advance our interests here in Arizona. As always, I am happy to speak with you further if you have questions or insights.

Sincerely,

Derek Masseth
Executive Director
Sun Corridor Network

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January 14, 2022

Door floroctors florence sayd Kelly,

I write to enginees my support for Gigl Solon to become a examinement at the Federal Communications Commission (PCC). Access to affordable, reliable communications services in crucial to Arlamans and Ms. Solon has a distinguished excess dedicated to advancing the smallability and affordability of communications service so that we can all benefit from these transformational personna.

Arisens seeds a fully functional PCC to help close the digital silvide, particularly acute in our state. In eight of Arisona's fifteen counties, more than two thirds of households lack access to high speed broadband. Low-income funders, Native Americana, and people of color are disproportionately disconnected, composeding grave impactitive that were made writte during the produces.

Broadband access is a significant problem for families bring on Amorrodicius in Arizona. Tribes are amor of the least consected communicies to the United States, and eigeness percent of tribal reservation residents have no internet access at losse. The 22 federally recognized Tribes in Arizona face takingst connectivity challenges at a time when broadband secess has proven essential for distance learning, triobsolds appointments, meetings over video platforms, connecting to remote work, and much more.

For 26 years I served in the board of directors of the Beautic Institute for Broadband & Society, a new profit organization dedicated to ensuring that all people in the U.S. have access to competitive. High-Performance Broadband regardiess of where they live or who they are. Benton believes communication policy—rected in the volume of access, equity, and diversity—

has the power to deliner new opportunities and strongthen communities.

Sayor 2018, Ma. Solus has served as the Betston Seniar Pellow and Public Advocator. She is one of the nation's leading public advocators for open, affeedable and dissocratic communications personics. For mearly thirty years, she has worked across the dissocratic including Arisona, to defend and preserve the fundamental respectition and insensation policies that have made broadbased incomes across more ubiquitous, competitive, affectable, open and protective of over privacy.

The PCC is tanked with working with Arieses and its representatives to get obiquitous, affindable and reliable constructions services to our citizens. Mr. Sohn would be a knowledgeable partner in beloing Arianaum and the country most this challenge. I unge you sed your colleagues in the Secret to support her confinuation to be a commissioner. Arisons and our Nation cannot wait any longer to have a fully functioning Commission. The Agreey's mission is too important.

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**EXPERT OPINION** 

# Ron Yokubaitis: GOP Putting Partisanship over Reform with Gigi Sohn's FCC Nomination

Nominated by President Biden as Federal Communications Commissioner, Sohn understands the real reason net neutrality is



Published 4 months ago on January 14, 2022

By Broadband Breakfast Staff 💆



The author of the Expert Opinion is Ron Yokubaitis, CEO of Golden Frog

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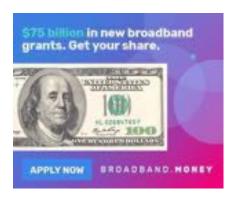
Last Name

\* = required field

The Federal Communications Commission has persistently gotten communications wrong for the past 20 years, even before broadband was a thing.

The commission was supposed to oversee telecommunications networks while leaving the then-nascent internet alone for the most part, but they dropped the ball. Gigi Sohn is the right person to help the FCC get back to its open access roots.

The 1996 Congress envisioned an open, interconnected, interoperable and user-centric internet that offers users "control over the information they receive" and facilitates "diversity of political discourse." Congress knew that these goals necessarily required an underlying telecommunications infrastructure that was also robustly competitive and itself open, interconnected and interoperable. That is why they enacted new laws basically adopting and extending the FCC's even then longstanding Computer Inquiries regime that made the internet possible to begin with.



"Broadband" is now provided over fiber. Even broadband wireless requires fiber for backhaul. These are telecommunications facilities, that are – or should be – subject to the FCC's regulatory jurisdiction. Firms providing fiber-based transmission for a fee are – or should be – common carriers. That, in turn, means they must interconnect, interoperate with and sell network access to other telecommunications carriers and those who provide information services on reasonable terms.

Computer Inquiry, the 1980s AT&T and GTE divestitures and the 1996 legislation all so required. But the FCC went rogue in the late 1990s. It allowed the dominant telephone and cable companies to close their local infrastructure, which allowed them to dominate massmarket internet access. The FCC purposefully killed most local market competition. Most independent internet service providers and competitive local exchange carriers were then forced out of business. Only a few major players still compete at the local level, and it is they who control mass-market "access to the internet" over "Broadband."

### Texas.net dueled early in the Lone Star state with Southwestern Bell

I started Texas.Net in 1994. We were one of the first independent ISPs in Texas. Southwestern Bell controlled the local network, and it soon started limiting our ability to get the lines we had to have so our customers could get to the internet. We turned to competitive local exchange carriers, and even became one ourselves.

SWBT and the other incumbent carriers convinced the FCC to limit competitors' access to the last-mile connections serving homes and small businesses. The FCC refused to enforce its Time Warner Cable open access mandate. More than 7,000 independent ISPs were put out of business. That is why the telephone and cable companies now have a largely unregulated mass-market telecommunications and internet access duopoly.



"Net neutrality" was and is necessary only because of the FCC's decision to close access to local infrastructure. America will continue to suffer high cost, rationed broadband telecommunications and internet for residential, small business, rural and high-cost customers for so long as the FCC allows and encourages the telephone and cable companies' domination over local network access. The FCC must return to its "open access" roots.

### Sohn is practical and willing to compromise in seeking bipartisan solutions

I have known Gigi Sohn since she led Public Knowledge. She understands that net neutrality is just a patch and the real solution is true open access to the underlying local telecommunications infrastructure. I certainly don't agree with 100% of Sohn's viewpoints, and we've told her so. But even when we disagree our voices are heard, understood and considered. She is practical and willing to compromise. She will seek bipartisan solutions to the real problem.

The Republicans' effort to derail Gigi Sohn's nomination to the FCC is misguided. All it does is cripple the FCC's ability to return to its roots and do what is truly necessary to get America up to speed with the rest of the developed world when it comes to advanced infrastructure in general and internet ubiquity in particular. This is too important a moment for partisan gamesmanship. Billions of dollars and the connectivity of millions of Americans are at stake.

Sohn is the right person at the right moment in history. Her 30 years of experience in telecom, broadband and technology policy, her strong commitment to the First Amendment and diversity of viewpoints, and her work to promote a competitive environment where consumers are best served more than qualify her to be an FCC Commissioner.

Ron Yokubaitis is CEO of Golden Frog, a company dedicated to protecting internet privacy online, and a director of sister company Giganews, a global provider of Usenet. Both are headquartered in Austin, Texas. This Expert Opinion is exclusive to Broadband Breakfast.

Broadband Breakfast accepts commentary from informed observers of the broadband scene. Please send pieces to commentary@breakfast.media. The views reflected in Expert Opinion pieces do not necessarily reflect the views of Broadband Breakfast and Breakfast Media LLC.

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#### **Broadband Breakfast Staff**

Broadband Breakfast is a decade-old news organization based in Washington that is building a community of interest around broadband policy and internet technology, with a particular focus on better broadband infrastructure, the politics of privacy and the regulation of social media. Learn more about Broadband Breakfast.



January 12, 2022

Dear Senator Sinema:

I hope you are doing well and enjoying a healthy start to 2022. I am writing in support of President Biden's nomination of Gigi Sohn to serve as a Commissioner of the Federal Communications Commission (FCC).

Arizona is ranked 36<sup>th</sup> in the nation for broadband coverage. 31 percent of Arizonans are either unserved or underserved. This is not only a rural challenge. For example, the Phoenix, Arizona neighborhood of Maryvale, a densely populated, urban area, is underserved, with two-thirds of households without Internet.

Throughout the pandemic, broadband access has proven to be a key infrastructure investment that Arizonans understand is vital for advancing our education, healthcare, and workforce development. ASU worked to ensure a seamless transition from in-person instruction to online delivery for all of our students at the onset of the pandemic by providing mobile hotspots and other technology, yet students in areas lacking broadband coverage were still challenged to access their classes. This was especially true for our students located on tribal lands.

Ms. Sohn's number one priority is getting robust broadband everywhere, to rural and urban areas and to tribal lands. When she was at the FCC she worked closely with the Office of Native American Policy and with tribal leaders. She has been very supportive of legislative and policy efforts to expand broadband deployment on tribal lands and to give tribes more control over spectrum on tribal lands. This includes, among other things, extending the 2.5GHz tribal priority window.

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I encourage you to support the nomination of Ms. Sohn to the open seat on the FCC to continue to advance our interests here in Arizona. As always, I am happy to speak with you further if you have questions or insights.

Sincerely,

Michael M. Crow

President

The Salt Lake Tribune

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# Roger Timmerman: If you're unhappy with your internet service, you'll want Gigi Sohn on the FCC

The cable industry has left nearly half of Americans underserved by modern broadband connections.



FILE - In this Dec. 14, 2017, file photo, the seal of the Federal Communications Commission (FCC) is seen before an FCC meeting to vote on net neutrality in Washington. The Senate has narrowly approved President Donald Trump's lame-duck nominee, Nathan Simington, on Tuesday, Dec. 8, 2020, to become a member of the Federal Communications Commission. (AP Photo/Jacquelyn Martin, File)

By Roger Timmerman | Special to The Tribune | Jan. 11, 2022, 8:00 a.m.

There's never been so much attention being paid to the nomination of the fifth FCC Commissioner. That's because there's a lot at stake for our nation.

Nearly half of Americans can't easily participate in the digital economy because they live

in areas unserved or underserved by broadband providers. Gigi Sohn, who was appointed by the White House for the fifth spot on the five-member FCC, understands that Big Cable doesn't have an answer or a strategy as to why they're not making a serious investment in their infrastructure.

The cable industry is spending approximately \$8 million a week on lobbying efforts to preserve its business model. Cable knows that if Gigi Sohn is appointed to the FCC, they'll need to be accountable to American consumers.

The problem is that cable's business model doesn't work for most Americans who live in rural areas. A 2018 study by Microsoft (updated October 2020) showed that a whopping 37% of all Americans lack access to broadband service — that's more than a third of America. The Microsoft study is in stark contrast to the FCC's own maps that claim 96% of America can access minimum broadband speeds. Why the large disparity?

The FCC maps, which Sohn has committed to make accurate, rely on self-reported data from internet service providers (the same providers seeking to block Sohn's nomination), while Microsoft relied on actual download and upload speeds achieved when customers ran Windows updates.

Today's internet networks are largely built on the same infrastructure that was placed decades ago. It's the same infrastructure we lived with during pandemic lockdowns, lacking the speed, reliability and capacity to meet today's needs. And even with billions in annual government handouts, wide areas of disinvestment persist. Worse, most Americans would be shocked to learn that broadband is largely unregulated at *any* level of government.

Gigi Sohn understands this and will push the FCC and the cable industry for greater accountability.

In her testimony before the Senate Commerce Committee on Dec. 1, Sohn pointed to my company, UTOPIA Fiber, as a success story of publicly owned broadband networks.

UTOPIA was born out of necessity in 2002 because incumbent providers weren't willing

to provide our member cities with the very connectivity city leaders and residents deemed necessary. However, the same problems persist today, which is why communities continue to join our all-fiber network.

While UTOPIA had some early-year growing pains, since 2009, we've designed, built and operated nearly \$400 million worth of fiber-broadband projects throughout Utah at no cost to taxpayers. We exist today for the same reason we did 20 years ago:

Broadband is critical infrastructure and increased competition serves to benefit residents and businesses.

Sohn recognizes that Americans need choice in the broadband market. While her approach is not prescriptive, she won't take cues from cable to stifle successful taxpayer-owned broadband options like ours; she recognizes that competition — public or private — in the broadband market should be a national priority.

In the last few years, I've gotten to know Gigi Sohn as a charismatic and pragmatic leader in the telecommunications industry. I've found her to be thoughtful, thorough, prepared and reasonable. She listens to all sides and has been known to agree with those of differing political views. She not only understands how policy can impact our states and cities, but also how it can influence business and industry. Sohn wants to see policy that spurs innovation and investment, as well as economic development and jobs.

Her nomination concerns incumbent providers. If Gigi Sohn lands at the FCC, cable will need to be more accountable to consumers, businesses and taxpayers (who've subsidized their efforts for years with little in return). If our bipartisan national goal is to expand quality, affordable broadband service to all Americans, it requires a fifth FCC

Commissioner who can work collaboratively across party lines—and with industry, business, consumers, and local government. Gigi Sohn is that person.

The bottom line is that if you're unhappy with your internet service, you'll want Gigi Sohn at the FCC.



Roger Timmerman, Executive Director/CEO of UTOPIA Fiber

**Roger Timmerman** is executive director of UTOPIA Fiber / Utah Infrastructure Agency and serves as a delegate of the Utah Republican Party.

By Roger Timmerman | Special to The Tribune

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# access, we must confirm Gigi S for the FCC

BY GLORIA TRISTANI, OPINION CONTRIBUTOR — 01/08/22 09:01 AM EST THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL

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Today, as millions of children are being sent home from school yet again due to the omicron variant sweeping the nation, it has never been more critical to bring everyone the benefits of broadband — high-quality high-speed internet access.

Now thanks to the billions committed in the bipartisan Infrastructure Investment and Jobs Act passed by Congress and signed by President Biden, we have the best opportunity in a generation to actually close the digital divide for good.

But this essential work cannot happen without the swift confirmation of Gigi Sohn as a commissioner with the Federal Communications Commission.

As a commissioner on the FCC at the turn of the century and the last Latino to hold that position, I was concerned that Latinos and other people of color were being left behind by the telecommunications revolution.

I foresaw that the internet would be the new public square — that it would be critical to every facet of American life, from employment to education, healthcare and more. That's why I fought for funding to subsidize internet connections in schools and libraries in low-income areas, to ensure that Latinos and other disadvantaged communities were not left behind.

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In this critical moment for digital access, we must confirm Gigi Sohn for the FCC | TheHill I've known Sohn in my time as a commissioner and as a fellow advocate for the public interest. I have no doubt that she will be an ally to those focused on equity, justice and economic fairness. She has a strong track record of promoting policies that make internet access more affordable for the poor, people of color and people living on tribal lands.

The numbers continue to show that Latinos, Black people and Native Americans are <u>less likely</u> to have quality home internet connections than white people, even when controlling for income and other factors. To eliminate ongoing racial, ethnic, geographic and income-based disparities in internet access, we need a fully functional FCC.

The longer we wait for this seat to be filled, the longer these disparities will linger. The poorest communities are often the most disadvantaged due to a lack of investment by broadband carriers in their neighborhoods, and plenty of data shows that this regularly corresponds along racial and ethnic lines.

For example, a study by the University of Southern California found that Black neighborhoods in Los Angeles County were being skipped by broadband companies on the latest upgrades. A study by the Greenlining Institute found that historical housing discrimination parallels closely with broadband deployment in Oakland. So it should come as no surprise that those two little girls forced to do homework on fast food parking lot Wi-Fi that caught national attention were Latina. Ending this digital redlining will require the FCC, much in the same way the government has had to in the past, to prohibit such discrimination.

During President Trump's administration, the FCC <u>deregulated the broadband industry</u> so the agency is unable to address today's worsening inequality of access. President Biden has made clear his desire to restore the agency to its core mission and to carry out his infrastructure agenda to connect all people to high-quality high-speed broadband access. That important work will not begin until the Senate confirms Sohn.

At present, the FCC is deadlocked at a two-two party-line split. The two democratic commissioners believe the FCC must return to regulating broadband access on behalf of the public. Biden's FCC Chair, Jessica Rosenworcel, has been adamant about the need to eliminate the "homework gap" so that we no longer see kids using fast food Wi-Fi to do their school work. However, the two Republican commissioners firmly believe that the federal government should avoid regulating this critical industry. This is despite a recent poll showing that 76 percent of Americans believe broadband is as essential to their lives as water and electricity.

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Sure enough, industry efforts to perpetuate the standstill are focused on opposing Sohn's confirmation. Imagine being in a business where you sell a product most people believe they must buy to survive in today's economy and yet no rules prevent you from exploiting that position? That would be a pretty sweet deal for your industry, but a terrible one for the public. Quality customer service, public safety readiness and fair access can all be shortchanged to maximize profits and nothing can be done

In this critical moment for digital access, we must confirm Gigi Sohn for the FCC | TheHill about it. Industry profits will always take priority in the absence of clear rules and public officials willing to enforce them.

We need the Senate to break the current logjam and put the FCC back on the job by immediately confirming Sohn. Our well-being and economic prosperity depend on it.

Gloria Tristani is a former special advisor to the National Hispanic Media Coalition and served as an FCC commissioner from 1997 to 2001.

TAGS GIGI SOHN JESSICA ROSENWORCEL DONALD TRUMP JOE BIDEN BROADBAND FEDERAL COMMUNICATIONS COMMISSION TECHNOLOGY INTERNET ACCESS HOMEWORK GAP DIGITAL DIVIDE NET NEUTRALITY IN THE UNITED STATES NATIONAL BROADBAND PLAN

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January 6, 2003

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### **WIRELESS**

## A fully staffed FCC is important for rural broadband: Bloomfield

Shirley Bloomfield • Jan 5, 2022 10:18am



Bloomfield says NTCA is ready to work on rural broadband issues with the FCC and believes Sohn would add great value to these efforts. ((Getty Images))

Yesterday, President Joe Biden renominated Gigi Sohn to be a member of the Federal Communications Commission (FCC) for a term of five years from July 1, 2021. Although there have been some calls for Biden to withdraw her nomination, the president has sent her name back to the Senate.

To continue the good work already underway and to take the next steps necessary, I urge Congress to move forward with the nomination of Sohn as the fifth commissioner to the FCC. Her confirmation is critical to ensuring all hands will be on deck as the FCC considers the future of universal service and builds upon its efforts to get and keep every American connected.

We are on the cusp of a broadband deployment revolution, with billions of dollars dedicated by Congress to expand connectivity to all Americans and close the digital divide. While these funds will go to a variety of agencies, the Federal Communications Commission (FCC) is poised to play a key role in overseeing several new programs and coordinating on others — and all of this in addition to the essential work it already does to promote universal service.

Leveraging these FCC programs combined with a mix of community commitment, private capital, and entrepreneurial spirit, local broadband providers have already done yeoman's work connecting their neighbors and communities near rural consumers with high-speed internet.

In fact, the latest survey results of NTCA – The Rural Broadband Association shows that providers are offering fiber connectivity to nearly 75% of their customers and to nearly all of the schools, libraries and medical centers in their communities. But there is plenty of work left to be done to reach those lacking service and to sustain robust and affordable services for those fortunate enough to have them already.



RELATED: Biden taps Rosenworcel, Davidson to fill key telecom posts at FCC, NTIA

The list of critical projects on the FCC's docket is long. In addition to its ongoing role in overseeing our nation's mission of universal service, the FCC's charge includes finishing the mapping effort required to prioritize areas of need. The FCC can also be an expert resource for states to ensure funds are directed to providers capable of delivering on their promises and collaborate with other agencies in seeking solutions to our current telecom supply chain challenges and workforce development concerns. And, with years of universal service experience under its belt, the FCC is well-positioned to help make sure our nation leverages the expertise of community-based providers in fulfilling broadband visions for millions of Americans.

NTCA is ready and eager to work on these issues with the FCC, and we believe a Commissioner Sohn would add great value to these efforts. Throughout her career, whether as senior staff at the FCC or working with various organizations and in academia, Sohn has consistently demonstrated thoughtfulness and pragmatism in approaching difficult questions and a willingness to engage with stakeholders of all kinds to discuss and debate these issues. Her understanding and expertise of telecommunications policy, together with her long-standing interest in promoting access to affordable and advanced communications services, position her well to consider the issues that will come before the Commission.

Successful federal telecommunications policy — and the connectivity of all Americans — depends, in part, upon effective leadership and pragmatic decision-making at the FCC. We encourage the Senate to confirm Sohn to the FCC as we enter a new and exciting chapter in efforts to close the digital divide in rural areas.

Shirley Bloomfield is chief executive officer of NTCA-The Rural Broadband Association, representing nearly 850 independent telecommunications companies that are leading innovation in rural and small-town America.

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Monica Alleven • Jan 4, 2022 12:45pm

### January 4, 2022

Sen. Maria Cantwell Chair U.S. Senate Committee on Commerce, Science and Transportation 425 Hart Bldg. Washington, D.C. 20510

Sen. Roger Wicker
Ranking Member
U.S. Senate Committee on Commerce, Science and Transportation
512 Dirksen Bldg.
Washington, D.C. 20510

Dear Chair Cantwell and Ranking Member Wicker:

I am writing to encourage you to support the confirmation of Gigi Sohn as a commissioner at the FCC. I worked closely with Ms. Sohn for three years while I was the Chief of the Public Safety and Homeland Bureau. I know her to be a patriot, a strong supporter of law enforcement and an advocate for public safety professionals. She would be an outstanding commissioner and bring useful consumer and community focused perspective to the FCC.

While at the FCC, Ms. Sohn and I worked together on several important issues, and in every item, Ms. Sohn brought valuable public voice and understanding into the record. During that timeframe the Commission laid the groundwork for Next Generation 9-1-1, closed the indoor location gap for 9-1-1, demonstrably improved emergency alerting, brought FirstNet across the finish line, and improved the resiliency of communications supporting consumers and communities after disasters.

In addition, during our shared tenure, the Commission closely examined net neutrality and privacy policies for telecommunications. Ms. Shon's background and understanding of technology issues was extremely useful. She helped my bureau gain access to technologists, privacy policy experts and security

experts to ensure that our work fully evaluated the costs and benefits of cybersecurity through a consumer lens. She recognized cybersecurity and supply chain risk for the challenges they have become and facilitated participation of cybersecurity professionals in our FACAs and other meetings.

Moreover, during my time at the Commission, encryption policy for telecommunications was an area without clear government, industry, or consumer consensus. Across the multiple federal agencies that were looking into encryption from a policy perspective, there were proponents for strong end-to-end encryption policies for commercial communication encryption (no backdoors) that also advocated for expanded Lawful Intercept capabilities built into future standards. Ms. Sohn took no position on encryption policy or encryption matters before us. On the contrary, she was extremely helpful in bringing tech-savvy professionals before the Bureau to provide useful background on both sides of the issue. Her support for the privacy rights of citizens has always been balanced with strong support for National Security and Public Safety objectives.

Tension continues regarding the appropriate national policy for commercial encryption. The Zero Trust architecture approach adopted by DoD, NSA and ONDI leaders includes strong end-to-end encryption of data to address cybersecurity threats. Many in law enforcement are concerned about potential loss of Lawful Intercept access from Zero Trust implementation, while consumer advocates remain concerned over loss of privacy in a fully developed Internet of Things world, and cybersecurity professionals seek to eliminate vulnerabilities from encryption implementation that supports third party privileged access. Congress can clarify FCC's role in addressing these competing priorities as 5G enables further expansion of our connected wireless lives. As a commissioner, I have every confidence that Ms. Sohn would be an impartial jurist who will ask tough questions, help fill in public testimony, support transparency and vote her conscious based on the law and the record before her. I believe her decisions will balance consumer, citizen and community interests with law enforcement and national security priorities consistent with statutory guidance from congress.

Another notable example of Ms. Sohn's decision-making process can be found in her support for the FCC's effort to recompete and seat a new telephone number portability administrator. Incumbent lobbying efforts attempted to derail this effort and Ms. Sohn's sage counsel helped us successfully navigate the policy challenges in a manner that improved service, lowered cost, and preserved lawful intercept capabilities. As the Congress looks forward to

addressing the privacy and security challenges of a converged 5G communications and cloud landscape, Data Portability will certainly be a concern. Ms. Sohn's number portability experience will ensure that security and privacy expert voices as well as consumers and communities viewpoints are heard and well considered. My experience working with Ms. Sohn suggests that she will affirmatively seek inputs from both national security and law enforcement professionals and work with her colleagues to ensure that public safety is paramount for any decisions. She will be a useful witness before your committee to ensure that your deliberations benefit from a fulsome public record generated by the FCC.

In conclusion, Gigi Sohn has my strongest possible endorsement for your confirmation as a commissioner at the FCC. Invariably there will be issues where her vote may not be the one you would make, but you will always know that she is a straight shooter ready to fully articulate 'the why' behind her decision. I believe you will appreciate her candor as you make decisions in developing the FCC's priorities.

David Simpson, Rear Admiral (ret.), USN

Former FCC Public Safety and Homeland Security Bureau Chief

Sen. Maria Cantwell Chair U.S. Senate Committee on Commerce, Science and Transportation 425 Hart Bldg. Washington, D.C. 20510

Sen. Roger Wicker
Ranking Member
U.S. Senate Committee on Commerce, Science and Transportation
512 Dirksen Bldg.
Washington, D.C. 20510

Re: Nomination of Gigi Sohn to the Federal Communications Commission (FCC)

Dear Chair Cantwell and Ranking Member Wicker,

We write to express our support for Ms. Gigi Sohn to be a commissioner at the FCC. We have each served as the Chief of the Public Safety and Homeland Security Bureau at the FCC. We are fully familiar with the responsibilities of that Bureau at the FCC, its authorities, and the important role FCC commissioners play in ensuring that first responders and the public can communicate reliably and effectively, especially in emergencies.

Based on our knowledge and experience with the public safety communications role of the FCC, our knowledge of FCC Commissioner nominee Gigi Sohn, and our work and dedication to make the public safer, we enthusiastically recommend that you confirm Gigi Sohn to serve as an FCC Commissioner.

Ms. Sohn's years of advocacy in support of the FCC ensuring that our first responders have the reliable, resilient, and secure communications resources they need, and that public safety communications be given the priority they deserve given their criticality to mitigate harm, reflect her qualifications for the job. We know and appreciate that Ms. Sohn has been focused for a long time on what the FCC must do to make the public safer. She advocates that even as technology changes, it is of the highest priority for the FCC to use the authority it has to ensure that first responders have the communications support that they need, and that the public can reach help in an emergency over the vital commercial networks that the FCC regulates. She views these technology changes as opportunities to further facilitate emergency communications.

The Committee need look no further than its own proceedings to see Ms. Sohn express her commitment in this area, her appreciation of these concerns, and her advocacy of the importance of effective and reliable communications for first responders and for the public in emergencies. For example, on July 25, 2013, Ms. Sohn testified to this Committee:

- -- "Public safety rules must ensure that emergency services like 9-1-1 and geolocation technologies continue to help first responders offer emergency care, regardless of whether the network that the customer uses is wireless or wireline, copper or fiber." 1
- -- "[T]he moments in which the public relies upon emergency services like 9-1-1 are literally life-or-death, and it is crucial that policymakers implement rules that maintain the public safety components of the phone network." <sup>2</sup>

Ms. Sohn's views and advocacy to this Committee in 2013 of the criticality of public safety communications to the FCC's mission, first responders and the public, also was clearly reflected in her recent testimony to the Committee in connection with her nomination to the Commission. She outlined her views in responding to Questions for the Record (QFRs):

- -- "I would seek to ensure that every rulemaking, adjudication and decision of the Commission considers the potential implications for public safety. In particular, the Commission must ensure that police, firefighters and other first responders have access to the resources they need especially in times of crisis."
- -- She testified specifically about ensuring that no interference with public safety communications will be tolerated: "As a first priority, I would seek to ensure that public safety communications cannot be blocked or throttled."
- -- Likewise, she cited the importance of ensuring that first responders have "adequate and secure spectrum..."; "robust communications networks...[reliable] during national disasters or terrorist attacks"; "network reliability and resiliency"; and her commitment to "consult regularly with law enforcement, firefighters, EMTs and other first responders to ensure that the unique needs of each community are met." She cited the illegal use of contraband cell phones by incarcerated individuals as a law enforcement concern that she would work to address "consistent with the FCC's statutory authority." <sup>5</sup>

Each of us believe that Ms. Sohn, as a commissioner, would be a strong advocate for the public safety and homeland security communications policies and initiatives that are critical to the American people and first responders. We are deeply familiar with that mission and the important role that the FCC plays. Confirming Ms. Sohn would enable her to bring her understanding, prioritization, and commitment to these issues to the Commission. It is not only our words, but her own words as well, that speak to her understanding of this, long before she was nominated for this role.

<sup>&</sup>lt;sup>1</sup> https://www.commerce.senate.gov/services/files/C5B12974-F5D6-48F9-99DC-2854DF0C2FC7 (p.12)

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Questions for the Record, Senate Committee on Commerce, Science and Transportation, "Nominations of Gigi Sohn, to be a Commissioner of the Federal Communications Commission; Alan Davidson, to be Assistant Secretary of Commerce for Communications and Information, DOC; Viquar Ahmad, to be Assistant Secretary for Administration and Chief Financial Officer, DOC; and Jed Kolko, to be Under Secretary of Commerce for Economic Affairs, DOC" (Dec. 1, 2021).

<sup>&</sup>lt;sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> Ibid.

We urge the Committee to confirm Gigi Sohn expeditiously so she can get to work on the important mission Congress has charged the FCC with advancing. She is someone we believe will be a strong, effective, and knowledgeable advocate for the public's safety as an FCC Commissioner.

Jamie Barnett, RDML, USN (Retired)

David S. Turetsky





[IS] OPINIONS

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# Gigi Sohn – An FCC Voice For Competition And New Entrants

Posted to Politics

(<a href="https://insidesources.com/category/politics/">https://insidesources.com/category/politics/</a>) January 02, 2022 by <a href="https://insidesources.com/category/politics/">Preston Padden</a>

(https://insidesources.com/author/preston-padden/)

Gigi Sohn will be an important and necessary voice for competition and disruptive new market entrants at the FCC. I know because I am a free market, small government advocate who has worked with, and sometimes against, Gigi for more than 35 years.

As president of the Association of Independent TV Stations, I represented pro-competitive new entrants in TV broadcasting. In those days, the only thing the established network TV stations and the cable systems (at the time local monopolies) could agree on was a mutual desire to snuff out the pesky new independent stations. Seeking allies, I turned to Gigi and she was a tireless partner in helping to keep the independent stations alive – a very good thing for competition and for consumer choice.

Next, I went to work for Rupert Murdoch as President of Network Distribution for the upstart Fox Broadcasting Company and as Rupert's head American lobbyist. Like the independent stations that became affiliates of the new Fox Network, Fox itself was an upstart, disruptive new force in television. And the three old networks tried every trick in the marketplace and regulatory books to kill us in the cradle. Again, it was Gigi to whom I turned to help us fight our battles at the FCC. While no fan of Rupert (as he is unlikely to be a fan of Gigi's), Gigi understood that the establishment of a fourth free-over-the-air television network was a longstanding FCC public interest goal. She was a tireless and effective advocate for Fox Broadcasting Company against entrenched industry forces.

After leaving Fox, I joined The Walt Disney Company – hardly a new market entrant. But when AOL (which at the time was the internet) merged with Time Warner, even powerful Disney found itself facing a potentially anti-competitive gatekeeper. One of our biggest content competitors now controlled a monopoly gateway to millions of American homes. Our well-founded fear was that the merged company would use that monopoly gateway to favor its own content. Again, I turned to Gigi for help. Even though Disney was an industry giant, she understood the threat to competition and was an indispensable ally.

I strongly disagree with Gigi on some issues. We have fought vigorously on many industry panels over more than 35 years. But I never found Gigi to be disagreeable. She is a great human being and an effective advocate for competition and new market entrants – all in the service of consumers.

So, the question is, should Gigi's appointment to be a Commissioner of the FCC be confirmed. I say – emphatically – yes.

Established market entities deserve a voice in public policy debates – period, full stop. But there is a public interest need for the FCC also to have a strong and effective voice for competition and disruptive new market entrants. That is true whether one is a conservative, a progressive, or a libertarian. Based on my personal

experience working with Gigi in multiple regulatory battles, she is that voice.

### About the Author



# <u>Preston Padden (https://insidesources.com/author/preston-padden/)</u>

Preston Padden is a former media executive and principal of Boulder Thinking, LLC. He wrote this for InsideSources.com.

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# The U.S. Senate Should Act Expeditiously to Confirm Gigi Sohn as FCC Commissioner

### by Gary Shapiro

President and CEO, CTA

Good government depends on the leadership of good people – individuals who are committed to principles over partisanship, open to diverse perspectives and dedicated to acting in the public interest. As the U.S. Senate considers a nominee for Commissioner of the Federal Communications Commission (FCC), I urge them to confirm a candidate who embodies these qualities: Gigi Sohn.

Gigi is a pragmatic problem solver who understands what it takes to make innovation thrive. During a distinguished and multi-decade career in technology, media and telecommunications policy, she has served as a consumer advocate, public servant and academic. In each of these roles, she has earned the respect of industry, civil society groups and Republicans and Democrats alike – a true feat in these hyper-partisan times. In short: she is extraordinarily qualified for this position.

We need an FCC Commissioner who will ask critical questions of both industry leaders and government counterparts and truly listen to the answers, even when they are at odds with personal views. At times, that may mean that Gigi takes positions that conflict with the priorities of the consumer technology industry. But that's a price we should all be willing to accept for a commissioner with deep integrity, knowledge and skill.

A look at her track record makes it clear that Gigi has always been an ardent defender of the principles that define our democracy – free speech and robust, substantive debate. Take for example, the decade-old debate over the Stop Online Piracy Act (SOPA) and PROTECT IP Act (PIPA). Gigi rightly recognized the massive harm these bills would have to free expression and U.S. innovation and successfully advocated for their defeat. Had these bills passed, they would have allowed the removal of an array of websites containing user-generated content. Over the



The issues facing the FCC today are too great to allow for any further delay in the nomination process. Since the start of the pandemic, millions of Americans have relied on high-speed broadband for work, school and health care. As these technologies become more integrated into our daily lives, that number will only grow. A strong U.S. economy and America's global leadership depend on a full slate of Commissioners.

It is time to put aside politics and come together in support of a nominee for FCC Commissioner with a proven track record of effectiveness, open-mindedness and principled decision making. Senators, the time to act is now. I urge you to vote to confirm Gigi Sohn as FCC Commissioner.

Gary Shapiro is president and CEO of the Consumer Technology Association, the U.S. trade association representing more than 1,500 consumer technology companies, and a New York Times best-selling author. His views are his own.



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#### Dear Senator Sinema:

I am a lifelong Democrat. Before relocating to Arizona, I worked for the California Democratic Party for a number of years doing field organizing, trained and taught grassroots activists on voter registration, how to use the voter file, phone bank and walk precincts, primarily in the rural areas of California. Additionally, I enlisted many of my friends to work on your election campaign.

I am writing to support the nomination of an extremely well-versed legal and policy expert and widely respected, practical problem-solver and bipartisan coalition-builder Gigi Sohn for the Federal Communications Commission (FCC).

For Arizonans like me, it matters that Sohn is a proven champion for accessible, affordable broadband access for ALL Americans, including rural communities, Native people, seniors, and low-income residents.

After recent back-tracking by the FCC on consumer privacy and safeguards, we need a knowledgeable Commissioner who understands information technology and can guide sustainable federal standards that allow more people to enjoy the benefits of modern communication.

It concerns me that some opponents of this stellar nominee, whose hard work for non-discrimination in content distribution (including conservatives) and broadband access is second to none, might overlook her decades of leadership and focus instead on factors extraneous to her outstanding capabilities in an effort to disqualify her from public service.

It is fitting and customary to ask, for a position of this significance, if the President has chosen well. Yes, and in this case, he has chosen the best. This opportunity to serve in a post befitting her credentials is not only a smart and exceptional placement for Gigi Sohn to advance Americans' common good, but also to show that Senate evaluation of key personnel will not be subject to delay and formidable talent will not be wasted.

Gigi Sohn is exactly the kind of well-schooled, highly skilled nominee in whose service Arizonans can take heart that our interests will be represented at the FCC. I urge you to approve her nomination and ensure she has a chance to serve in a role that makes our communities, state, and nation more connected with fewer barriers and at a lower cost to each of us.

I have attached Gigi's bio below. Please let me know if you have any question. I will be watching the progress of this nomination closely.

Sincerely, Martha Daniels Gamez

FYI: Gigi Sohn's bio here ... http://gigisohn.com/bio/

From: Ravi Grivois-Shah

Date: December 16, 2021 at 12:20:43 PM PST

To: contact@sinema.senate.gov

Subject: Gigi Sohn for the Federal Communications Commission (FCC)

Dear Senator Sinema,

In your role on the Commerce Committee, you presently have pending the nomination of Gigi Sohn for the Federal Communications Commission (FCC).

Sohn is a legal and policy leader on telecom and consumer access. She is a widely respected, practical problem-solver who has built bipartisan coalitions on data privacy and non-discrimination over content in cable and wireless communication. I urge you to **approve Gigi Sohn for this important FCC post** without delay.

As you know from experience, representation matters. Sohn would be the first-ever openly LGBT person to serve on the FCC. More than 30 organizations that work for equality in American life are supporting her breakthrough leadership at the commission.

For folks in Arizona like me, it matters that Sohn is a proven champion for accessible, affordable broadband access for ALL Americans, including rural communities, Native people, immigrants, seniors, and low-income residents.

After recent back-tracking by the FCC on consumer privacy and safeguards, we need a knowledgeable Commissioner who understands information technology and can guide sustainable federal standards that allow more people to enjoy the benefits of modern communication.

For a position of this significance, it's worth asking if the President has chosen well. Absolutely, and in this case, the White House has selected THE best. This opportunity to serve in a post befitting her credentials is not only a smart and exceptional placement for Gigi Sohn to advance Americans' common good, but also to show that Senate evaluation of key personnel will not be subject to delay and formidable talent will not be wasted.

It concerns me that some opponents of this stellar nominee, whose hard work for non-discrimination in content distribution (including conservatives) and broadband access is second to none, might overlook her decades of leadership and focus instead on factors extraneous to her outstanding capabilities in an effort to disqualify her from public service.

Gigi Sohn is exactly the kind of well schooled, highly skilled nominee in whose service my own family and others in Arizona can take heart that our interests will be represented at the FCC. I urge you to approve her nomination and ensure she has a chance to serve in a role that makes our communities, state, and nation more connected with fewer barriers and at a lower cost to each of us.

Please let me know if you have any questions. I will be watching the progress of this nomination closely.

Sincerely, Ravi Shah, MD MPH MBA CEA, Southern Arizona AIDS Foundation Member, TUSD Governing Board December 11, 2021

Hon. Maria Cantwell Hart Senate Office Building, 511 Washington, DC 20510

#### Dear Senator Cantwell:

I write to you today to support the nomination of Gigi Sohn for a seat on the Federal Communications Commission (FCC). And I urge you to vote to confirm her, an exceptionally well-qualified team member and leader, to this important post of public service.

As a resident of Washington State for 15 years, I know equity in broadband access has wide support among my fellow Washingtonians.

It matters that Sohn is a proven champion for accessible, affordable broadband access for ALL Americans, including rural communities, Native people, seniors, and low-income residents. And I greatly appreciate your recent support for the Emergency Educational Connections Act as part of the American Rescue Plan. As we also know, those affected by technology access challenges include K-12 students. From your recent remarks: "The COVID crisis has made it crystal clear: functioning broadband is absolutely necessary for every American home."

Additionally, after recent back-tracking by the FCC on consumer privacy and safeguards, we need a knowledgeable Commissioner who understands information technology and can guide sustainable federal standards that allow more people to enjoy the benefits of modern communication.

It concerns me that some opponents of this stellar nominee, whose hard work for non-discrimination in content distribution (including conservatives) and broadband access is second to none, might overlook her decades of leadership and focus instead on factors extraneous to her outstanding capabilities in an effort to disqualify her from public service.

It is fitting and customary to ask, for a position of this significance, if the President has chosen well. Yes, and in this case, he has chosen the best. This opportunity to serve in a post befitting her credentials is not only a smart and exceptional placement for Gigi Sohn to advance Americans' common good, but also to show that Senate evaluation of key personnel will not be subject to delay and formidable talent will not be wasted.

Gigi Sohn is exactly the kind of well schooled, highly skilled nominee in whose service Washingtonians can take heart that their interests will be represented at the FCC. I urge you to approve her nomination and ensure she has a chance to serve in a role that makes our communities, state, and nation more connected with fewer barriers and at a lower cost to each of us.

In conclusion, as an LGBTQ advocate, I know, and I know you understand as well, that representation matters. Sohn would become the first openly LGBTQ person to serve in FCC history. More than 30 LGBTQ organizations have petitioned the Administration for her nomination.

Please let me know if you have any questions. I will be watching the progress of this nomination closely.

Sincerely,

Thomas Pitchford



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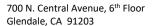
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December 9, 2021

The Honorable Maria Cantwell Chairman, Senate Committee on Commerce, Science, and Transportation The United States Senate Washington, DC

The Honorable Roger Wicker Ranking Member, Senate Committee on Commerce, Science, and Transportation The United States Senate Washington, DC The Honorable Ben Ray Luján Chairman, Senate Subcommittee on Communications, Media, and Broadband The United States Senate Washington, DC

The Honorable John Thune Ranking Member, Senate Subcommittee on Communications, Media, and Broadband The United States Senate Washington, DC

Dear Chairmen Cantwell and Luján, and Ranking Members Wicker and Thune,

As the CEO of one of the few minority-owned-and-managed media companies in the country, I offer my full support for Gigi Sohn's confirmation to be FCC Commissioner and urge the Senate Commerce Committee to confirm her nomination without hesitation.

Latino-owned Fuse Media is a multicultural focused, multiplatform entertainment company that serves its millennial and Gen-Z audience through a portfolio of streaming and television brands. With a mandate to keep inclusion and representation at the forefront of all creative and business decisions, I am proud to state that 100% of Fuse original series include Latinos and people of color. But we cannot do this job alone and, as a champion of diversity and inclusion in media and media ownership, Ms. Sohn has proven herself to be a much-needed advocate for communities that continue to be underrepresented in media, despite their prevalence in society.

We know that media plays a critical role in the way we perceive ourselves and others, yet underrepresented communities still struggle to find content that genuinely, accurately, and respectfully reflects their cultures and experiences. While U.S. Census data show Latinos comprising nearly 20% of the US population, the most recent Annenberg Inclusion Initiative study revealed that across media, only about 5% of speaking or named characters during 2019 featured a Hispanic or Latino actor. Many of those roles tend to reinforce negative stereotypes.

It therefore is imperative that smaller, independent media companies committed to equal and positive presentation of underrepresented minorities are given room and resources to thrive in an increasingly consolidated media landscape. Ms. Sohn has proven her commitment to ensuring such equity.



Fuse Media believes that audiences and consumers will benefit from Gigi Sohn's confirmation as FCC Commissioner. Her commitment to diversity of ownership and viewpoints, along with her support for independent voices, will allow entertainment providers and companies of all sizes to be on a more level playing field, ultimately creating opportunities for more representation and inclusion in media.

Sincerely,

Miguel Roggero

Chief Executive Officer

cc:

Senator Amy Klobuchar Senator Richard Blumenthal

Senator Brian Schatz Senator Ed Markey Senator Gary Peters Senator Tammy Baldwin

Senator Tammy Duckworth

Senator Jon Tester Senator Kyrsten Sinema Senator Jacky Rosen

Senator John Hickenlooper

Senator Raphael Warnock

Senator Roy Blunt Senator Ted Cruz Senator Deb Fischer

Senator Jerry Moran Senator Dan Sullivan

Senator Marsha Blackburn

Senator Todd Young Senator Mike Lee Senator Ron Johnson

Senator Shelley Moore Capito

Senator Rick Scott

Senator Cynthia Lummis

December 6, 2021

The Honorable Chuck Schumer Majority Leader United States Senate Room S-221, The Capitol Washington, DC 20510 The Honorable Mitch McConnell Minority Leader United States Senate Room S-230, The Capitol Washington, DC 20510

**Re: FCC and NTIA Nominations** 

Dear Majority Leader Schumer and Minority Leader McConnell:

As technology and telecommunications leaders who are working to connect consumers and businesses to critical communications services across our great nation that are used to support every economic sector, including agriculture, education, health care, and manufacturing, we are writing today to express our strong support for expeditiously confirming President Biden's nominees to the Federal Communications Commission (FCC) and the National Telecommunications and Information Administration (NTIA).

FCC Chairwoman Jessica Rosenworcel, Ms. Gigi Sohn, and Mr. Alan Davidson have demonstrated through their many years of service in the technology and telecommunications sector, that they have the expertise and requisite skills required for their positions. With almost a decade of service as a Commissioner, now-Chairwoman Rosenworcel has effectively managed the FCC during a global pandemic and has implemented key emergency programs to connect students and families to broadband. Ms. Sohn is a well-known public advocate and thought leader with thirty years of experience who has focused her work on ensuring that modern communications services are available to every consumer. As a senior executive in the tech industry, Mr. Davidson has managed complex matters and has been a leader on open and accessible policies, enabling modern communications technology options in the U.S.

Both the FCC and NTIA are important agencies for advancing the nation's broadband and communications connectivity goals, and they are in need of their full and permanent leadership to fulfill their missions as soon as possible. We urge you to move their nominations forward and confirm them.

Sincerely,

Douglas Denney VP Legal & Regulatory **Allstream** Vancouver, WA

Chris Levendos
Executive Vice President and Chief
Operating Officer—Fiber
Crown Castle
Houston, TX

Jeff Blum Senior Vice President, Public Policy and Government Affairs **DISH** Englewood, CO

Gregory A. Aymar Chief Executive Officer **FiberComm** Sioux City, IA

Kurt Van Wagenen President and Chief Executive Officer **FirstLight Fiber** Albany, NY

Gary Watts Chief Executive Officer Fuse.Cloud Jackson, MS

Michael B Galvin EVP & General Counsel **Granite Telecommunications, LLC** Quincy, MA

Fletcher Kittredge Chief Executive Officer **GWI** Biddeford, ME

Edward E. Hilliary, Jr.
Managing Partner
Hilliary Communications, LLC
Lawton, OK

Jerrod Reimer President and CEO IdeaTek Buhler, KS

Edward J. O'Hara Chief Executive Officer Inteliquent Chicago, IL

Andoni Economou Chief Operating Officer **MetTel** New York, NY

Dane Jasper Chief Executive Offer **Sonic Telecom** Santa Rosa, CA

Rebecca H. Sommi VP Vendor Management **Specrotel Holding Company LLC** Neptune, NJ

Chet Kanojia Chief Executive Officer **Starry, Inc** Boston, MA

Joshua Broder Chief Executive Officer **Tilson** Portland, ME

Kenny Gunderman Chief Executive Officer **Uniti Group, Inc.** Little Rock, AR

Brian Worthen Chief Executive Officer **Visionary Broadband** Gillette, WY

Ray LaChance Co-Founder and Chief Executive Officer **ZenFi Networks** New York, NY

Ted Gilliam General Counsel, Strategic and Regional Sales **Zayo** Boulder, CO



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Christine Louise Mills

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Rafael Chagoya

Gun Violence Prevention: Mia Livas Porter

## Veterans Committee, East Area Progressive Democrats

U.S. Senators Washington, DC 20510 Contact: ph 323-669-9999 eapd.la@gmail.com

December 5, 2021

Dear Senator:

I write for the Veterans Committee and more than 1,000 members of my Democratic club, the largest in California. I write to **support the nomination** of **Gigi Sohn** for a seat on the **Federal Communications Commission (FCC)**. And I urge you to vote to confirm her, an exceptionally well-qualified team member and leader, to this important post of public service.

While serving in the Army stateside and overseas, I was usually able to hear and read English- and Spanish-language media, communicate by phone and e-mail with my family and friends, and access information, news, and updates through the Internet. Each of these was essential to my morale. When these lifelines were unreliable or cut off, it took a toll on my spirit, my sense of purpose, and my capacity to be the best soldier I could be.

Ten years ago, I was recuperating from grievous, life-altering wounds. My hospital room became my battlefield. I was fighting to regain not only my health, but also my independence. Three pivotal resources in that struggle toward wellness were social media as well as trustworthy e-mail access and cellular technology that was accessible, affordable, and uncensored.

As a servicemember, I came to depend on phone and digital communication platforms that were **as free as the country I was fighting for**. These lifelines, along with expert caregivers, made my recovery possible.

In the past decade, I learned, along with millions of Americans, that the freedom of modern technology and digital communication is faulty, and, in some places and circumstances, more fiction than fact. Our access to the Internet, email, cellular technology, and other digital platforms is subject to many restrictions and pricing tactics. Making it **freer** is a mission of need, urgency, and patriotism.

In 2018, I was a key player in the effort in California to protect Net Neutrality when wildfires here showed even first-responders were becoming casualties of coverage curbs and messaging caps and fees imposed by some carriers. I took a how-to lesson from the can-do advocacy of Ms. Sohn to bring Democrats, independents, Republicans, and others together to enact new safeguards.

In 2020, I earned my college degree, in both political science and theater arts (what a combination, right?). I was able to complete my study during the period of COVID precautions because of online courses in which I participated through digital technology. Millions of educators and students like me have a stake in broadband access that is unfettered, unfiltered, and inexpensive or free to help us achieve our aspirations to improve skills and serve others.

I live on the Eastside of L.A., a metropolis renowned for instant access to news and entertainment. But near me, broadband coverage is unstable. We still have much to do. ¡Vamos! Let's get to it. I urge you to confirm Gigi Sohn to the FCC.

Sincerely,

Rafael C. Chagoya

Rafael Chagoya, Chair, EAPD Veterans Committee, for 1,000 club members
Values-Driven Politics for Community-Driven Governance \* L.A. County's Largest Democratic Club

The Honorable Chuck Schumer Senate Majority Leader 322 Hart Senate Office Building Washington, D.C. 20510

The Honorable Maria Cantwell
Senate Committee on Commerce, Science &
Transportation
512 Dirksen Senate Building
Washington, D.C. 20510

The Honorable Mitch McConnell Senate Minority Leader 317 Russell Senate Office Building Washington, D.C. 20510

The Honorable Roger Wicker Senate Committee on Commerce, Science & Transportation 512 Dirksen Senate Building Washington, D.C. 20510

November 30, 2021

Dear Senate Majority Leader Schumer, Minority Leader McConnell, Chair Cantwell and Ranking Member Wicker,

We are writing to urge the swift and concurrent confirmation of Jessica Rosenworcel and Gigi Sohn for the Federal Communications Commission and Alan Davidson for the National Telecommunications and Information Administration. These agencies urgently need Senate-confirmed leaders to address the critical need for affordable and resilient access to the open internet in the midst of a global pandemic and worsening climate crisis. Through bipartisan infrastructure legislation, Congress has given these agencies enormous tasks on tight deadlines. These exceptional nominees' appointments so late in the year means there can be no delay in confirming them and getting started in earnest on all of that urgent work.

These three nominees each bring decades of experience, a commitment to the public interest, and the skills necessary to fulfill the missions of these agencies.

Jessica Rosenworcel's tenure at the FCC makes her an exceptional pick for FCC Chair. She is a respected and principled advocate with a proven record of fighting for the public interest. She has long championed efforts to ensure everyone in America, particularly schoolchildren, have affordable and reliable high-speed broadband to provide them with the tools they need for a successful future. Chairwoman Rosenworcel's efforts to close the "homework gap" embody that commitment. As Acting Chair, she quickly and successfully launched the Emergency Broadband Benefit, a program that is now helping millions of Americans afford access to the internet.

For over 30 years, Gigi Sohn's priority has been ensuring that modern communications networks are available to everybody, regardless of who they are or where they live. Her life's work has embodied the standard on which the FCC bases its decisions: the public interest. She served as a top aide to FCC Chairman Tom Wheeler and helped found and lead a non-profit focused on promoting an open and competitive communications and technology market. She has a proven record of bringing together varied stakeholders, including public interest advocates and companies, in bipartisan coalitions to fight for equitable broadband policies, consumer protections, competition and the open internet.

Alan Davidson has over 20 years of experience in government, industry and public interest advocacy, making him an ideal candidate to take up the interagency work of the NTIA, and to guide not only NTIA's existing spectrum allocation and broadband policy work, but also its greatly increased grantmaking and coordinating role in implementation of the bipartisan infrastructure bill's broadband funding provisions.

Even before the pandemic struck over 21 months ago, 2019 Census data showed that nearly 80 million people in the U.S. did not have adequate broadband at home. According to that data, poor families and people of color are disproportionately disconnected — only 48 percent of low-income households had a fixed broadband connection at that time, and 13 million Black people, 18 million Latinx people and 1.3 million Indigenous people lacked this kind of adequate home connectivity. Digital divide indicators like education and income disparities demonstrate that many Asian American and Pacific Islander (AAPI) communities and ethnic groups are also disproportionately impacted, and some AAPI communities and individuals with reduced English proficiency levels may adopt broadband at lower rates than the national average.

At the same time communities across the country are facing more frequent extreme weather events due to the climate crisis, and those events are taking down crucial communications infrastructure on an increasingly regular basis.

And while Congress passed historic legislation to address broadband affordability and accessibility for both urban and rural communities in the midst of the pandemic, the FCC and NTIA's ability to administer these Congressional directives — as well as their ability to promote affordability, competition, privacy, sound spectrum policy, and network resiliency along with other consumer protections using existing authorities — has been limited by the deadlocked FCC and the lack of an Assistant Secretary at NTIA.

Any delay in confirming all three of these nominees will stall progress on achieving those goals and ensuring that everyone in the United States is able to access robust, affordable high-speed internet.

We urge you to confirm these three public-interest champions before the Senate recesses at the end of the year. Thank you for your attention to this urgent matter.

Sincerely,

18 Million Rising
Access Humboldt
Akaku Maui Community Media
Alliance for Community Media
American Library Association
Appalshop Community Media Initiative

<sup>&</sup>lt;sup>1</sup> See Comments of Free Press, FCC GN Docket No. 20-269, at 4 (filed Sept. 18, 2020), https://www.freepress.net/sites/default/files/2020-09/free\_press\_2020\_section\_706\_inquiry\_comments.pdf.

<sup>&</sup>lt;sup>3</sup> See Asian Americans Advancing Justice, Telecommunications and Technology Fact Sheet, <a href="https://advancingjustice-aajc.org/sites/default/files/2020-02/Lifeline%20Backgrounder.pdf">https://advancingjustice-aajc.org/sites/default/files/2020-02/Lifeline%20Backgrounder.pdf</a>.

Benton Institute for Broadband & Society

**Branford Community Television** 

California Center for Rural Policy

California Clean Money Campaign

Capital Community Media

**CATS Community Access Television Services** 

Center for Accessible Technology

Center for Democracy & Technology

City of New Bedford Cable Access - New Bedford, MA

Color Of Change

Common Sense

Communications Workers of America

Communities Closing the Urban Digital Divide

Community Media Access Collaborative

Decode Democracy

**Demand Progress Education Fund** 

Democracy for America

Derry Community Access Media

**Duluth Public Access Community Television** 

**Electronic Frontier Foundation** 

Engine

FC Public Media

Fight for the Future

Free Press Action

Friends of the Earth

Granby Community Access and Media, Inc.

The Greenlining Institute

Greenpeace USA

Hawaii Consumers

Illinois for Educational Equity

Indivisible Sacramento

Institute for Local Self-Reliance

Libraries Without Borders US

Local TV, inc

Lynn Community Television

Massachusetts Community Media dba MassAccess

Media Alliance

Media, Inequality & Change Center

MediaJustice

Melrose Massachusetts Television

Movement Alliance Project

Mozilla Foundation

National Association of the Deaf

National Consumers League

Native Public Media

Newark for Educational Equity & Diversity

The New Hampshire Coalition for Community Media

North Shore TV

NTEN

**OD** Action

The OMNI Centre for Public Media, Inc.

**OMNI Productions** 

Open MIC (Open Media and Information Companies Initiative)

Open Technology Institute

OpenMedia

Orion Neighborhood Television (ONTV)

The Other 98%

Our Revolution

PhillyCAM

Presente.org

Progress America

Public Knowledge

Revolving Door Project

RootsAction.org

Salem Community Television, Salem NH

Salina Media Connection; Community Access TV of Salina, Inc.,

San Diego Futures Foundation

Tahoe Truckee Media

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)

TURN - The Utility Reform Network

United Church of Christ Media Justice Ministry

Valley Shore Community Television Inc.

Western New York Library Resources Council

Winchester Community Access & Media, Inc.

Writers Guild of America West

X-Lab



1979 S. Eads St. Arlington, VA 22202 703-907-7600 CTA.tech

November 30, 2021

The Honorable Maria Cantwell Chair, Senate Committee on Commerce, Science, and Transportation

The Honorable Roger Wicker
Ranking Member, Senate Committee on Commerce, Science, and Transportation

Re: Nomination of Gigi Sohn for Commissioner, Federal Communications Commission

Dear Chair Cantwell and Ranking Member Wicker:

I write to strongly support the nomination of Gigi Sohn to serve as Commissioner of the Federal Communications Commission (FCC) and urge the Senate Committee on Commerce, Science, and Transportation to move her nomination forward expeditiously.

Ms. Sohn is extraordinarily qualified for this position. Her record reflects a long and distinguished career in technology, media and telecommunications policy as a consumer advocate, public servant and academic. In addition, she is widely recognized for her commitment to principle over partisanship and is deeply respected by industry, civil society groups, Republicans and Democrats.

More, Ms. Sohn has always been a strong defender of free speech and an advocate of robust, substantive debate. Our First Amendment is nonpartisan and has been respected by Republican and Democratic FCC commissioners alike. Ms. Sohn has an extensive record of writing and speaking in defense of free speech and as FCC Commissioner would uphold free expression by those with different views.

The FCC's work has never been more important for preserving a strong economy and strengthening America's global leadership. Until Ms. Sohn is confirmed, the absence of a full Commission will continue to hold the agency back from addressing the nation's most pressing communications policy issues. Ms. Sohn is a pragmatic, data-driven problem solver who understands what it takes to drive the future of work, education and ongoing innovation. Based on more than two decades of knowing Ms. Sohn, I am confident she will ask the critical questions and truly listen to the answers, regardless of whether they are consistent with her personal priorities.

Ms. Sohn has the qualifications of an FCC nominee that every Senator should be pleased and proud to confirm. I encourage you to do so.



Sincerely,

Gary Shapiro

President and CEO

Consumer Technology Association

cc: Members of the Senate Committee on Commerce, Science, and Transportation



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#### NENA News, Press, & Stories...: Home Page

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#### **NENA Statement on FCC Nominations**

**Tuesday, November 30, 2021** (0 Comments) Posted by: Chris Nussman



On October 26, President Biden appointed Jessica Rosenworcel to Chair the Federal Communications Commission and Gigi Sohn to serve as the fifth Commissioner. NENA is proud to support both of their nominations. Nominees Rosenworcel and Sohn have shown deep dedication to improving the 9-1-1 emergency system and a commitment to public safety during their careers. NENA appreciates their tremendous leadership and encourages the Committee and Senate to vote in support of both their nominations.

As Acting Chair, Jessica Rosenworcel has been a champion for Next Generation 9-1-1 (NG9-1-1) and has worked tirelessly as Commissioner to help ensure FCC-regulated providers are capable of meeting the needs of public safety. In addition to pushing for improved requirements and industry accountability in carrying out the requirements of Kari's Law and RAY BAUM'S Act, she has been an indefatigable champion for improved network resiliency and supported essential federal funding for the NG9-1-1 transition.

During Gigi Sohn's tenure at the FCC, her work not only improved requirements for 9-1-1 caller location accuracy, but also requirements for text-to-9-1-1 — an essential tool for millions of Americans in need every day. Her work also helped elevate the need to tackle issues of funding and deploying NG9-1-1 in public-safety answering points nationwide. We look forward to working with Sohn as she advances the Commission's work to fund "middle mile" internet infrastructure that will serve as an essential foundation to ensure underserved and rural communities have access to NG9-1-1.

We at NENA look forward to working with both nominees on issues pressing to the public safety community.

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OR
Username
Password
SIGN IN

Forgot your password? (/general/email\_pass.asp) Haven't joined yet? (/general/register\_start.asp) November 29, 2021

The Honorable Maria Cantwell Chair, Senate Committee on Commerce, Science and Transportation Russell Senate Office Building 254 Washington, DC 20002 The Honorable Roger Wicker Ranking Member on Commerce, Science and Transportation Dirksen Senate Office Building 512 Washington, DC 20002

Dear Chairwoman Cantwell and Ranking Member Wicker:

We write to offer our strong support for the nomination and swift confirmation of Gigi Sohn to serve as Commissioner to the Federal Communications Commission (FCC). Although we don't agree with Gigi on every communications policy matter, she is a thoughtful and pragmatic leader who is willing to work across the aisle and across the ideological spectrum to make progress to ensure that all US households have robust broadband. She has helped improve the quality of life for rural underserved communities with her work on rural broadband deployment and adoption policies.

Ms. Sohn regularly works to forge relationships and alliances with stakeholders across the aisle and with diverse community leaders. When industry has sought the involvement of someone to represent consumer interests, they seek out Gigi first because of her credibility and fairness. For example, she served as Co-Chair of the Broadband Internet Technology Advisory Group (BITAG), which convened network engineers and technical experts from industry and academia to examine and develop a consensus on internet network management practices. The purpose of BITAG was to assist in the creation of acceptable industry standards, as opposed to heavy handed enforcement and regulation.

Over Ms. Sohn's 30 years of experience in telecommunications, broadband and technology policy has shown she has a strong commitment to the First Amendment. She has regularly worked with organizations representing conservative media interests to ensure all voices and views are heard both as a consumer advocate and as a government official. The FCC will make critical decisions to maintain a competitive and open media environment. Her consistent and long held support of diversity in viewpoints in media will serve all voices well.

We are confident that Ms. Sohn will take her pragmatic and collaborative skills to her new role at the FCC as a commissioner if confirmed by the Senate.

#### Sincerely,

Hilda Gay Legg - Former USDA Rural Development State Director for Kentucky and the Former Administrator for RUS

Chad Rupe - managing member of Rural America Strategies LLC

Chip Pickering – CEO of INCOMPAS, Former Republican Congressman from Mississippi

Daniel Linville - West Virginia House of Delegates - Chairman of the Committee on Technology and Infrastructure

Judson Hill - Former Republican Georgia State Senator







November 23, 2021

The Honorable Maria Cantwell Chair Committee on Commerce, Science and Transportation United States Senate 254 Russell Senate Office Bldg Washington, DC 20510 The Honorable Roger Wicker Ranking Member Committee on Commerce, Science and Transportation United States Senate 512 Dirksen Senate Office Bldg Washington, DC 20510

Re: Nomination of Acting-Chairwoman Jessica Rosenworcel for Chairman, Federal Communications Commission (FCC)

Nomination of Ms. Gigi B. Sohn for Commissioner, FCC

Nomination of Mr. Alan Davidson for Administrator of the National Telecommunications and Information Administration (NTIA)

Dear Chair Cantwell and Ranking Member Wicker:

The undersigned communications industry trade organizations write in support of President Biden's nominees for the FCC and NTIA and urge their swift consideration by your committee and final confirmation by the Senate.

The telecommunications industry is an important part of the US economy accounting for over 2% of Gross Domestic Product. The telecommunications sector is responsible for as many as 10 million jobs and trillions of dollars of investment. Decisions of the FCC and NTIA impact every American consumer.

The recently enacted Infrastructure Investment and Jobs Act (IIJA) gives both agencies important roles. Additionally, both agencies are in the process of administering programs authorized through the CARES Act of 2020 and American Rescue Plan of 2021 Act which include several programs to address pandemic related telecommunications issues. A full complement of five FCC Commissioners and a permanent Administrator for NTIA is vital to implement these programs and ensure progress on critical initiatives for our country, including broadband accessibility and affordability, roll out of 5G, and securing telecommunications networks.

The Administration has nominated Ms. Rosenworcel, Ms. Sohn and Mr. Davidson. Each of these nominees is eminently qualified to hold the positions for which they have been nominated and possess the academic background, the qualifications, and expertise to serve as leaders on telecommunications policy.

Given the once in a generation level of the investment the government is making in broadband to advance our nation, we urge the Senate to move quickly to confirm nominees for these key positions.

Respectfully submitted,

#### /s/ Matthew Schruers

President CCIA

#### /s/Gary Bolton

President & CEO
Fiber Broadband Association

#### /s/Chip Pickering

CEO

**INCOMPAS** 

# **ideatek**

#### INTERNET FREEDOM FOR ALL

November 22, 2021

The Honorable Jerry Moran United States Senate 100 North Broadway Suite 210 Wichita, Kansas 67202

Dear Senator Moran:

I am writing in support of the nomination of Gigi Sohn to the Federal Communications Commission.

As you know, IdeaTek is a Kansas-based small broadband provider that has strived to compete against the larger incumbent carriers for many years. We have been able to offer more efficient and affordable service to consumers and small businesses in Kansas due to our ability to compete in the monopoly-dominated broadband market.

While Ms. Sohn may have some more progessive views on matters that you and I may disagree with, she has been a strong advocate for small competitive broadband companies throughout her thirty-year career. We strive for customers to have freedom and choice when it comes to broadband services, and competitiveness is a crucial part of that mission. This issue outweighs other potential policy changes she may advocate for, as Ms. Sohn's commitment to competitiveness is essential for the future of broadband.

Ms. Sohn is a respected lawyer and previously served in a key role at the FCC under a former Chair. She has an excellent understanding of the complex issues facing the FCC today and in the near future. It is my hope that you can join me in recognizing the dedication she displays to competitiveness in broadband, and the value she could bring to the agency and the industry it oversees.

Sincerely,

Daniel Friesen

Managing Partner & Chief Innovation Officer

Q- 8-70

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## Policy Versus Politics: Gigi Sohn's Years of Support for Empowerment and Inclusion Deserve Confirmation

By Mignon Clyburn published November 18, 2021

Claims that Gigi Sohn would 'actively deter minority media ownership' are fundamentally false







Because we live in an increasingly divisive world, it is more important than ever before to disagree agreeably. That is the only way to achieve the best solutions. Unfortunately, when it comes to President Biden's nomination of Gigi Sohn to the Federal Communications Commission, disagreements over policy have turned personal and political, far removed from disagreements over public policy.

Claims that Gigi Sohn would "actively deter minority media ownership" are fundamentally false. I have worked with Gigi for many years and she has been a champion for diversity in media ownership and tech before, during and after that time, including as a top adviser to chairman Tom Wheeler. She also worked long and hard with me and within the Federal Communications Commission to address the outrageous and excessive prison phone rates that regularly harm so many communities of color.



Guest blog author Mignon Clyburn is former acting FCC chair and principal, MLC Strategies

I am not alone in my support for Gigi. The Leadership Conference on Civil and Human Rights led a coalition of some 25 civil rights and civil liberties organizations in a joint letter saying that "throughout her career, Ms. Sohn



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has dedicated herself to the public interest." The groups pointed to her long-time "advocacy for policies that promote diversity and competition."

"She will establish a collaborative process and dialogue with the civil rights community, as well as consult with the community members who are often left out of commission deliberations," they said, and they also recognize that she would make history as the FCC's first openly LGBTQ commissioner.

Gigi's support of strong policies prohibiting discrimination by internet services providers should be praised, and not belittled. Her opposition to media and telecommunications consolidation and any evasion of media ownership rules that provide fewer, not more, opportunities for minority ownership should be commended, and not ridiculed. It defies reason that Gigi's support of competition and greater entry into the media and telecommunications industry by those traditionally shut out would be labeled as "anti-business." Throughout her entire career, Gigi has helped underrepresented voices in industry gain access to communications platforms, be they broadcasting, cable or the internet. This isn't "anti-business," it's pro-competition, pro-inclusion, and pro-opportunity.

Also: Gigi Sohn's Confirmation to the FCC Will Undermine Minority Media Growth and Achievement

Often overlooked is Gigi's leadership in hiring and promoting people of color into the field of communications policy. When she left Public Knowledge in 2013, nearly one-third of the staff were people of color. She brought two of those people to the Federal Communications Commission and another staffer of color is now the successful CEO of Public Knowledge. I expect that if confirmed, her staff at the FCC will be similarly diverse.

Have Gigi and I agreed on every issue? The answer is a thunderous no. But like you, I pick my friends and stay loyal to my family not because we see eye to eye on every single issue, but because we believe in many of the same things.

The Multicultural Media and Telecom and Internet Council said it best: "Gigi is a leading public advocate for open, affordable and democratic communications networks" and the Senate should confirm her without delay.

And on that, we should all agree.



#### **Mignon Clyburn**



Mignon Clyburn is former acting FCC chair and principal,  $\ensuremath{\mathsf{MLC}}$ 

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#### November 17, 2021

Dear Senators Sinema and Kelly,

We write to convey the rapidly growing urgency to confirm Jessica Rosenworcel as the Federal Communications Commission (FCC) permanent chair and Gigi Sohn as a fifth commissioner. The FCC will have a 2-1 Republican majority if the Senate does not confirm Rosenworcel and Sohn by the end of the year. The Senate must act quickly.

Arizona needs a fully functional FCC to help close the digital divide, particularly acute in our state. In eight of Arizona's fifteen counties, more than two-thirds of households lack access to high-speed broadband. Low-income families, Native Americans, and people of color are disproportionately disconnected, compounding grave inequalities that were made worse during the pandemic.

Broadband access is a significant problem for families living on reservations in Arizona. Tribes are some of the least connected communities in the United States, and eighteen percent of tribal reservation residents have no internet access at home.<sup>2</sup> The 22 federally recognized Tribes in Arizona face unique connectivity challenges at a time when broadband access has proven essential for distance learning, telehealth appointments, meetings over video platforms, connecting to remote work, and much more.

Given the legislative calendar and the diminishing number of days for hearings and confirmation votes, we have reached a critical point to guarantee the agency charged with ensuring affordable communications access can do its work. Failing to confirm a permanent chair and a fifth commissioner leaves the FCC less than fully operational and limits its capacity to most effectively:

- Finish long-overdue reforms to the FCC's outdated and inaccurate broadband maps, which are used to direct federal infrastructure investments;
- Strengthen the Lifeline program, which helps low-income households afford telephone and internet service;
- Create rules to make our nation's communications networks more reliable and resilient to natural disasters and other threats;
- Guide the deployment of new broadband infrastructure built with federal dollars to make it as effective as possible;
- Protect consumers and workers from anticompetitive, job-killing mergers in the telecommunications sector;
- Approve emergency waivers for E-rate funded infrastructure to be opened up for remote education; and

 $<sup>{\</sup>color{blue}1$ \underline{https://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/money/business/tech/2021/07/07/broadband-access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/access-arizona/47204697/nttps://www.azcentral.com/story/wow/$ 

<sup>&</sup>lt;sup>2</sup> https://aipi.asu.edu/sites/default/files/tribal digital divide stimulus bill advocacy.pdf

• Meet the challenge of the 2018 Broadcast Ownership Quadrennial Review and halt the dangerous trend towards consolidated ownership in broadcasting by reasserting principles of localism, competition and ownership diversity.

The FCC has the singular ability to ensure affordable and reliable communications for all. The pandemic showed us the unshakable image of children doing their classwork from fast-food parking lots using borrowed WiFi. We cannot let those students or any family wait any longer. If we are to reach the goal of having a country where everyone, no matter their address or size of their bank account, has affordable access to high-speed internet, we need a full commission immediately. We urge Congress not to lose any more time and to confirm Jessica Rosenworcel and Gigi Sohn by the end of the year.

#### Sincerely,

Cat's in the Cradle New Life Sanctuary Common Sense Gila River Telecommunications, Inc. LISC Phoenix Native Public Media NTEN Red Rock Mountain Studios LLC Rural Arizona Action Swinging Sixties Productions Terabyte Media LLC



November 16, 2021

# Officers Chair Judith L. Lichtman National Partnership for Women & Families Vice Chairs Derrick Johnson NAACP Thomas A. Saenz Mexican American Legal Defense and Educational Fund Secretary Fatima Goss Graves National Women's Law Center

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American-Arab Anti-Discrimination Committee Joni Madison

Human Rights Campaign Marc Morial National Urban League Janet Murguía UnidosUS

Debra L. Ness
National Partnership for
Women & Families
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National Fair Housing Alliance Anthony Romero American Civil Liberties Union

Fawn Sharp
National Congress of American Indians
Liz Shuler

AFL-CIO Maria Town American Association of People with Disabilities

Randi Weingarten American Federation of Teachers John C. Yang

John C. Yang Asian Americans Advancing Justice | AAJC

Interim President & CEO Wade Henderson

### SUPPORT SWIFT CONFIRMATION OF ROSENWORCEL, SOHN TO FEDERAL COMMUNICATIONS COMMISSION

Senator Maria Cantwell Chair

U.S. Senate Committee on Commerce, Science and Transportation Washington, DC 20510

Senator Roger Wicker
Ranking Member
U.S. Senate Committee on Commerce, Science and Transportation
Washington, DC 20510

Dear Chair Cantwell and Ranking Member Wicker:

On behalf of 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, and the undersigned organizations, we write to convey our strong support for the nominations of Jessica Rosenworcel and Gigi B. Sohn to serve as chair and commissioner, respectively, of the Federal Communications Commission (FCC). We urge the committee to report the nominations to the full Senate favorably and promptly. At a time when access to reliable, diverse news and information, as well as affordable broadband and communications, is paramount, a fully staffed FCC is a top priority for the nation and for the constituencies we represent. Both Ms. Rosenworcel and Ms. Sohn are exemplary nominees for their respective positions and should be swiftly confirmed.

Universal and affordable access to telecommunications services and diverse media enables vital communications with family, friends, and employers; provides access to invaluable health information, emergency services, social services, and education; and promotes participation in our 21st century democracy and economy. Our coalition is committed to ensuring that media and telecommunications policy affirms and extends our nation's longstanding commitment to civil rights.

Ms. Rosenworcel's direct experience with the commission, which includes nine years at the agency, and most recently as acting chair, demonstrates she is particularly well-positioned to lead the FCC at this pivotal time. Under her leadership, the FCC successfully implemented several time-sensitive and nationally important programs to address the COVID-19 pandemic, including the Emergency Broadband Benefit, which offers monthly financial



support to low-income households. Throughout her career, Ms. Sohn has dedicated herself to the public interest, whether through her service on the Presidential Advisory Commission on the Public Interest Obligations of Digital Television Broadcasters, her advocacy for policies that promote diversity and competition in the non-profit sector, or her time at the FCC as a senior counselor to the chairman.

Both nominees have shown they will establish a collaborative process and dialogue with the civil rights community as well as consult with the community members who are often left out of commission deliberations, including people of color, people with disabilities, low-income communities, incarcerated individuals, and other marginalized communities. In addition, both nominees would bring diversity to the commission. If confirmed, Ms. Rosenworcel would be the FCC's first permanent female chair and Ms. Sohn would be the commission's first openly LGBTQ commissioner.

Without confirmation of both nominees to these positions this year, the FCC will be left with only three commissioners. The need for swift action on these nominations is therefore critical. After nine months without a working majority, the FCC has a significant workload before it. The civil rights agenda at the FCC requires rapid, focused attention. Congress has now adopted the Affordable Connectivity Program, an improved, permanent version of the Emergency Broadband Benefit, and the commission will need to move quickly to implement this program and ensure that all the commission's programs for low-income people are more effective and easier for their beneficiaries to use. Other civil rights priorities include finishing the congressionally mandated 2018 Quadrennial Review this year; completing the next review that will start immediately in 2022; implementing Congress' directive to collect equal employment opportunity data in this sector; and a long-delayed proceeding addressing the dysfunctional market and unjust practices in incarcerated communications.

There is a tremendous overlap between media and telecommunications policies and civil rights, and the FCC's leaders must apply that understanding in setting the commission's agenda. To that end, we urge the committee to discuss with the nominees the importance of placing civil rights at the center of the commission's agenda and to press them to create an Office of Civil Rights to ensure every aspect of the agency's docket is consistent with our nation's highest values. Moreover, the FCC is in a unique position to address privacy in the industries it oversees. Processing of personal data should promote equity and justice as it enhances safety, economic opportunity, and convenience for all.

Ms. Rosenworcel and Ms. Sohn are highly qualified, possess deep knowledge of the challenges faced by disadvantaged populations, and have a demonstrated commitment to collaboration with civil rights stakeholders. For these reasons, the Senate Committee on Commerce, Science and Transportation should move quickly to report these nominees favorably to the full Senate. Should you have any questions, please contact Leadership Conference Media/Telecommunications Task Force Co-Chair Cheryl Leanza, United Church of Christ Media Justice Ministry, at <a href="mailto:cleanza@alhmail.com">cleanza@alhmail.com</a> or Bertram Lee, Jr., media/tech counsel, at <a href="mailto:lee@civilrights.org">lee@civilrights.org</a>.

Sincerely,



The Leadership Conference on Civil and Human Rights

A. Philip Randolph Institute

**AFL-CIO** 

American Federation of State, County and Municipal Employees (AFSCME)

American Federation of Teachers

Andrew Goodman Foundation, Inc.

Asian Americans Advancing Justice - AAJC

Center for Disability Rights

Clearinghouse on Women's Issues

Communications Workers of America

Crescent City Media Group

Equality California

Feminist Majority Foundation

Hispanic Federation

Japanese American Citizens League

League of Conservation Voters

MediaJustice

National Black Justice Coalition

National Council of Asian Pacific Americans

National Fair Housing Alliance

Public Advocacy for Kids (PAK)

Public Citizen

Silver State Equality-Nevada

Southern Echo Inc.

The Trevor Project

United Church of Christ Media Justice Ministry

November 15, 2021

The Honorable Maria Cantwell
Chair
U.S. Senate Committee on Commerce, Science and Transportation
254 Russell Senate Building
Washington DC, 20510

The Honorable Roger Wicker
Ranking Member
U.S. Senate Committee on Commerce, Science
and Transportation
254 Russell Senate Building
Washington DC, 20510

Dear Chair Cantwell and Ranking Member Wicker,

On behalf of the members and officers of the Communications Workers of America (CWA), I am writing in strong support of the nominations of Jessica Rosenworcel to serve as Chair of the Federal Communications Commission (FCC) and Gigi Sohn for Commissioner. Not only will they continue to lead the FCC into the future by encouraging the equitable deployment of next-generation broadband networks, they will also ensure that the concerns of workers and consumers are the top priority.

As Commissioner and Acting Chair at the FCC, Rosenworcel has fought steadily to ensure access to telecommunications services for all Americans. For example, Rosenworcel's work has drawn attention to problems with the FCC's collection of data on broadband access. She has advocated that in order to close the digital divide, we must have access to broadband maps and data that are accurate and reliable. This ensures that when broadband access is expanded, it reaches all communities, not just some. Further, Rosenworcel has been a champion for the protection and expansion of the Lifeline program, which connects low-income households to critical telecommunications services. She understands that these programs are especially important during public health and economic crises like those taking place right now.

Beyond her understanding of the policy issues, Rosenworcel has intimate knowledge of the families and workers behind the policy because she takes the time to understand both. Prior to the pandemic, Rosenworcel was an advocate for closing the Homework Gap by addressing the issue that millions of students take homework home from school but don't have the internet access to complete it. She has been working on creative solutions to this issue for years, and since the pandemic has widened this gap, this work remains a top priority. Additionally, she has engaged CWA members in dialogue to provide perspective on the telecommunications issues that are hitting the communities we serve the hardest

Throughout her career, Gigi Sohn has been a staunch advocate for the expansion of affordable internet access. During the T-Mobile/Sprint merger, Sohn was a key ally in the fight to protect the jobs of the working families who ultimately ended up being harmed by the merger. She believes in fighting to ensure that workers are protected first and foremost. Additionally, she supports efforts to hold broadband service providers accountable through state regulatory oversight. Her voice, experience and expertise are just what the FCC needs.

The leadership exhibited by these two women focus on greater opportunity, accessibility, and affordability in our communications services, especially broadband services. Further, their tireless advocacy on behalf of workers and consumers has never been more important. I strongly urge you to swiftly advance the nominations of Jessica

Rosenworcel and Gigi Sohn to serve as the next Chair and Commissioner of the Federal Communications Commission (FCC), as they are exactly the kind of leaders we need in this moment.

Thank you in advance for your consideration.

Sincerely,

Dan Mauer

Director of Government Affairs

Daniel J. Many

Communications Workers of America (CWA)





November 15, 2021

Senator Maria Cantwell Chair Senate Commerce Committee United States Senate 511 Hart Senate Office Building Washington, DC 20510 Senator Roger Wicker
Ranking Member
Senate Commerce Committee
United States Senate
555 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairwoman Cantwell and Ranking Member Wicker,

On behalf of the Schools, Health & Libraries Broadband (SHLB) Coalition, the National Digital Inclusion Alliance (NDIA), and the undersigned organizations, we write to express our strong support for Jessica Rosenworcel to serve as the Chair of the Federal Communications Commission (FCC), Gigi Sohn to serve as a Commissioner on the FCC, and Alan Davidson to serve as the Assistant Secretary of Commerce and Administrator of the National Telecommunications and Information Administration (NTIA).

The SHLB Coalition is a 501(c)(3) nonprofit advocacy organization that strives to close the digital divide by promoting open, affordable, high-quality broadband for anchor institutions and their communities. SHLB has over 300 members from across the US, including hundreds of commercial and nonprofit organizations who support our mission.

NDIA is a 501(c)(3) nonprofit and advances digital equity by supporting community programs and equipping policymakers to act. Working collaboratively with digital inclusion practitioners, NDIA advocates for broadband access, tech devices, digital skills training, and tech support. NDIA currently represents 625 affiliate organizations located in 46 states.

We urge the Senate Commerce Committee to advance the nomination of Rosenworcel for an additional term without delay. Her impressive range of work and extensive experience as a commissioner on the FCC makes her well suited to serve as its chair. She is committed to closing the "homework gap" and has overseen the rollout and implementation of several critical federal programs that make technology more accessible and affordable for Americans, including the Emergency Broadband Benefit program and the Emergency Connectivity Fund — the most significant federal programs yet to address internet affordability. By taking a lead role on spectrum policy reforms and expanding affordable broadband access to households, schools, libraries, and healthcare providers, Rosenworcel has demonstrated outstanding leadership as acting FCC Chair.





We also urge the Senate Commerce Committee to advance the nomination of Sohn for Commissioner on the FCC without delay. Sohn has been a long-time advocate for internet freedom, consumer protection, and digital inclusivity. Though steadfast in her principles, she has a deep and realistic understanding of the digital marketplace and its practical and economic challenges. In turn, she recognizes the need to work with others from all sides of every issue to achieve a more open, affordable, and privacy-protective communications landscape. Accordingly, she is well-respected by technology policy stakeholders on both sides of the political aisle as well as by for-profit and nonprofit institutions. Sohn possesses an unmatched level of knowledge, leadership, and experience in her field, making her extremely well qualified to serve as an FCC Commissioner.

Finally, we urge the Senate Commerce Committee to advance the nomination of Davidson for Assistant Secretary of Commerce and Administrator of NTIA without delay. Given his vast expertise in technology policy and digital access issues, Davidson will be a steady and effective leader at the NTIA. He has worked in policy areas such as free expression, content regulation, encryption, and copyright, while maintaining a commitment to the public interest. His experience and skills make him well suited for his prospective role at the NTIA.

The FCC and NTIA have and will continue to play an extremely important role in digital policy — particularly given the passing of the Infrastructure Expansion Act of 2021 and the growing influx of federal money for broadband and digital inclusion programs. As such, strong and effective leadership at the FCC and NTIA is crucial to ensuring a more efficient and equitable digital future for America. We thus urge the Senate Commerce Committee to promptly confirm the nominations of Rosenworcel for FCC Chair, Sohn for FCC Commissioner, and Davidson for NTIA Assistant Secretary of Commerce and NTIA Administrator.

Thank you,

Valerie Oliver Alaska State Library

Mike Wassenaar Alliance for Community Media

Alan Inouye American Library Association ROBERT W STEWART
Asbury Park Free Public Library

Jason Hardebeck Baltimore City Mayor's Office

Andrew Jay Schwartzman
Benton Institute for Broadband & Society





Sunne Wright McPeak

California Emerging Technology Fund

Stephen D Rau

Channelford Associates Inc

Shumonte Cooper Christ is Relief Inc

Elisabeth Perez City of Portland

Alexandria Felton City of San Jose

Dave Sevick Computer Reach

Tom Reid

Connecting Appalachia

Bill Callahan

**Connect Your Community Institute** 

Christine Fox

CoSN

Kimberly Friends CSM Consulting, Inc.

Erin Carr-Jordan

**Digital Equity Institute** 

Pat Millen E2D, Inc.

Hank Lawrence

**Educational Consulting Associates** 

TERI LAWRENCE

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Donna Rattley Washington Education SuperHighway

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Mary Jo Sagnella E-RATE ONLINE

John Chrastka

**EveryLibrary Institute** 

Mai Moore

EYEJ: Empowering Youth, Exploring Justice

Davis Park Front Porch

Burt Lum

Hawaii Broadband Hui

Shawn Daugherty

Human-I-T

W LAZONE GRAYS

IBSA, Inc.

Erin Mote InnovateEDU

Christopher Mitchell

Institute for Local Self-Reliance





**Gwin Grimes** 

**Jeff Davis County Library** 

Carrie Coogan

Kansas City Public Library

Michelle Harati

Local Initiatives Support Corporation (LISC)

Sulaiman Kenyatta

Los Angeles County Economic Development

Corporation

Josh Chisom

Lucky Thirteen Design & Consulting LLC

Brandon Forester MediaJustice

Joseph Sawasky

Merit Network, Michigan

Katherine Messier

Mobile Beacon

Gina Dircks

Mobile Citizen, a Voqal Project

Nishal Mohan

mohuman

Mariel Triggs

MuralNet

Susan Corbett

National Digital Equity Center

Angela Siefer

National Digital Inclusion Alliance

Amanda Bergson-Shilcock National Skills Coalition

Tracy Olson

NC Telehealth Network Association

Amy Sample Ward

**NTEN** 

Burton B. Cohen

Office of Consumer Counsel

Amy Philipson

Pacific Northwest Gigapop

Barry Glicklich

Partners Bridging the Digital Divide

Jenna Leventoff

Public Knowledge

Marci L. White

Redbud Telecom Consulting

Jesse Bradley

Right Here, Right Now Project

John Windhausen

Schools, Health & Libraries Broadband

(SHLB) Coalition

Clayton Banks

Silicon Harlem

Jeannene Hurley

Sound E-rate, Inc.

Coree Kelly

Southern Oregon Education Service District





Julia Fallon State Educational Technology Directors Association (SETDA)

Andy Stutzman Technology Learning Collaborative

JJ McGrath Texoma Communications, LLC

Samantha Schartman The Marconi Society

Robert Plymale Thundercloud, Inc.

Susan Benton Urban Libraries Council

Roger Timmerman UTOPIA Fiber

Jessamyn West Vermont Mutual Aid Society

Kristen Perry Voqal

Jennifer Evans West Hartford Community Interactive

Tessa Michaelson Schmidt Wisconsin Department of Public Instruction



November 12, 2021

Senator Lisa Murkowski 522 Hart Senate Office Building Washington, DC 20510

Senator Pat Toomey 455 Dirksen Senate Office Building Washington, DC 20510

Senator Mitt Romney 354 Russell Senate Office Building Washington, DC 20510

Senator Rob Portman 448 Russell Senate Office Building Washington, DC 20510

Senator Susan Collins 413 Dirksen Senate Office Building Washington, DC 20510

Senator John Boozman 141 Hart Senate Office Building Washington, DC 20510

Senator Tommy Tuberville 142 Russell Senate Office Building Washington, DC 20510

Senator John Kennedy 416 Russell Senate Office Building Washington, DC 20510

Dear Senators Murkowski, Toomey, Romney, Portman, Collins, Boozman, Tuberville, and Kennedy:

As a proud Republican, and Co-Chair of the Public Officials Committee of the Fiber Broadband Association in Washington, DC (representing 150 cities, towns, counties, and state agencies), I find myself in unfamiliar territory urging you to confirm Gigi Sohn, a member of the Democratic Party, as an FCC Commissioner.

I'm expressing strong support for Gigi Sohn because there's a lot at stake for our nation's economy. Nearly half of Americans can't easily participate in the digital economy because they live in areas unserved or underserved by broadband providers. Ms. Sohn's mastery of policy and her pragmatic approach will help expand broadband investment while helping to curb lip service from providers.

In the last few years, I've gotten to know Gigi Sohn as a charismatic and pragmatic leader in the telecommunications industry. I've found her to be thoughtful, thorough, prepared, and balanced. She not only understands how policy can impact our states and cities, but also how it can influence business and industry. Ms. Sohn wants to see policy that spurs innovation and investment, as well as economic development and jobs.

It should be noted that Big Telco is spending \$8 million a week in Washington to preserve the status quo, and has labeled Ms. Sohn as an "activist." They're concerned that should she be appointed to the FCC, providers will need to be more accountable to consumers, businesses, and taxpayers (who've subsidized their efforts with little in return). Frankly, that's exactly what the country needs to remain economically competitive in the digital age.

To achieve our national goals of expanding quality, affordable broadband service to all Americans, it will require an FCC Commissioner who can work collaboratively across party lines—and with industry, business, consumers, and local government. Gigi Sohn is that person.

I respectfully urge you and your Senate colleagues to confirm Gigi Sohn.

Please let me know if you'd like to discuss further.

Sincerely,

Bob Knight,

Blut

Commissioner &

Co-Chair, Public Officials Committee

Fiber Broadband Association, Washington, DC

Cc. Geoffrey Morris, Chairman, Ridgefield ECDC
Kimberly McKinley, Deputy Director, Utah Infrastructure Agency, Committee Co-Chair



November 11, 2021

The Honorable Maria Cantwell Chairwoman Committee on Commerce, Science, and Transportation U.S. Senate Washington, D.C. 20515 The Honorable Roger Wicker Ranking Member Committee on Commerce, Science, and Transportation U.S. Senate Washington, D.C. 20515

Re: Recommendation for Confirmation of Nominated FCC Commissioners Jessica Rosenworcel and Gigi Sohn

Dear Chairwoman Cantwell and Ranking Member Wicker:

The Rural Wireless Association ("RWA")<sup>1</sup> is writing to recommend that the Senate Committee on Commerce, Science, and Transportation confirm the nomination of Jessica Rosenworcel as Chairwoman of the Federal Communications Commission ("FCC" or "Commission") and move quickly to schedule a confirmation hearing for Gigi Sohn as an FCC Commissioner.

Both of these nominees are extremely qualified for their positions. As Acting Chair of the FCC for the past 9 months, Rosenworcel has been a good steward and a strong advocate for continued investment and innovation in wired and wireless broadband networks. Rosenworcel has also been supportive of Congress' goal to build next generation networks in unserved and underserved areas and to close the digital divide. RWA believes that, with a fully staffed Commission, Rosenworcel can be instrumental in directing the Commission's full attention towards building and maintaining networks in rural America to keep all Americans connected.

Ms. Sohn is also more than qualified to be confirmed as an FCC Commissioner. For over 30 years, Ms. Sohn has relentlessly served the public interest and helped to keep Big Tech in check. She is an advocate for all consumers, both urban and rural, and has worked tirelessly to close the digital divide and to ensure that diverse voices (including all rural stakeholders) are heard and protected. She previously served as an advisor to FCC Chairman Tom Wheeler and in that role Ms. Sohn advised the chairman on a multitude of telecommunications, internet, and media issues. RWA has worked with Ms. Sohn on issues ranging from universal service reform to ensuring spectrum auctions are conducted in a manner that allows small and rural carriers to gain access to spectrum to serve rural communities. Ms. Sohn has worked with RWA to ensure that VoLTE roaming is implemented fairly so that rural consumers do not get left behind. Her nomination also speaks to President Biden's desire to be inclusive and to promote diversity across all sectors of the federal government as Sohn will be the first openly LGBTQ+ Commissioner.

<sup>&</sup>lt;sup>1</sup> RWA is a 501(c)(6) trade association dedicated to promoting wireless opportunities for rural telecommunications companies who serve consumers who, reside, work, or travel in rural America. RWA's members are small businesses serving or seeking to serve secondary, tertiary, and rural markets. Each of RWA's member companies serves fewer than 100,000 subscribers.



With the legislative calendar year coming to an end, its becoming more likely that the Commission will be shorthanded by the new year. Given the influx of broadband-related initiatives being passed and proposed by Congress, it is in the country's best interest to keep the Commission functioning fully staffed with five commissioners. RWA eagerly awaits the confirmation of Rosenworcel as FCC Chairwoman and a scheduled date for Sohn's confirmation hearing this year.

Respectfully submitted,

## RURAL WIRELESS ASSOCIATION, INC.

By: /s/ Carri Bennet

Carri Bennet, General Counsel Stephen Sharbaugh, Legislative and Policy Analyst 5185 MacArthur Blvd., NW, Suite 729 Washington, DC 20016 (202) 857-4519 legal@ruralwireless.org



Nov 10, 2021

The Honorable Maria Cantwell Chair Committee on Commerce, Science, & Transportation United States Senate Washington D.C. 20510 The Honorable Roger Wicker
Ranking Member
Committee on Commerce, Science, &
Transportation
United States Senate
Washington D.C. 20510

Dear Senators Cantwell and Wicker.

We, the undersigned public interest organizations, submit this letter as members of Broadband Connects America ("BCA"), a coalition of diverse national, state-based, and local nonprofit organizations, as well as state agencies, that advocate for policies to promote broadband access in underserved rural areas. We write to urge the swift and concurrent confirmation of Jessica Rosenworcel for Federal Communications Commission (FCC) Chair, Gigi Sohn for FCC Commissioner, and Alan Davidson for Administrator of the National Telecommunications and Information Administration (NTIA). These agencies need immediate leadership to bring affordable, reliable, high-speed internet to rural and Tribal communities. A failure to confirm them all before the end of this year will jeopardize the ability of rural communities to engage in modern society as others with the internet can.

Over the last two years, as the COVID-19 pandemic took root in the United States, it became clear that broadband is an essential service and that the government must take action to connect people across the nation. In order to ensure the steps Congress has taken to help close the digital divide can succeed, these agencies need Senate-confirmed leaders. Each of these nominees bring the decades of experience and commitment required to connect rural and Tribal communities.

During Jessica Rosenworcel's tenure at the FCC, she has rapidly implemented a Congressional program to bring broadband to millions of people who could not previously afford it; championed the need for reliable data on broadband availability that will ensure communities are not wrongfully denied broadband deployment funding, and connected tribes by providing them with unlicensed spectrum to buildout broadband and by making Tribal libraries eligible for E-Rate funds. This experience alone makes her an exceptional choice for FCC Chair. Additionally, she is a widely respected leader in tech



policy, a dedicated consumer advocate, and a swift decision maker who will most certainly bridge the digital divide.

Likewise, Gigi Sohn is an experienced consumer advocate who has done more to close the digital divide than almost anyone else in the field. During Gigi's career, including working as a top advisor to FCC Chairman Tom Wheeler and as the co-Founder and CEO of Public Knowledge, she has tirelessly championed universal connectivity to a free and open internet. Gigi is known for bringing together strange bedfellows to get the job done -- including public interest groups, industry, urban & rural, and stakeholders from across the aisle. Her pragmatism will ensure that rural communities are no longer left on the wrong side of the digital divide because of partisan fights.

Finally, Alan Davidson has over 20 years of experience in government, industry, and public interest advocacy, making him an ideal candidate to lead the NTIA. If passed, the bipartisan infrastructure package and budget reconciliation bill will give the NTIA responsibility for multiple programs that will connect rural and Tribal communities, including a \$42.5 billion broadband deployment program, a grant program to promote digital equity, and a program to give low-income consumers the devices they so urgently need to connect. Alan Davidons's leadership experience, both within industry and the public interest sector, positions him to successfully stand up these important programs to get rural and Tribal communities connected.

The FCC and the NTIA have a lot of work ahead of them, and these three experienced and committed nominees' appointments cannot be delayed any further if we want people across the country to ring in the new year with newly adopted broadband. Thus, Congress must confirm all three nominees before the end of the year. Thank you for your attention to this urgent matter.

### Sincerely,

Access Humboldt
Benton Institute for Broadband and Society
California Center for Rural Policy
Center for Rural Strategies
ConnectMaine
Institute for Local Self-Reliance
Maine Broadband Coalition



National Digital Equity Center
Public Knowledge
Rural Wireless Association, Inc.
The Cooperative Baptist Fellowship of Mississippi
Together for Hope: A Rural Development Coalition
X-Lab



November 8th, 2021

The Honorable Cynthia Lummis United States Senate 100 East B St Casper, Wyoming 82601

#### **Dear Senator Lummis:**

I am writing to support the nomination of Gigi Sohn to the Federal Communications Commission. As you know, Visionary Broadband is a small Wyoming-based broadband company that is able to serve consumers here due to the existence of long-standing competitive policies at the FCC.

Throughout Ms. Sohn's public and private sector career she has been a supporter of small, competitive broadband companies regarding the many policy debates impacting smaller carriers. From the policy battles around Special Access to the Forbearance Petitions involving the Unbundled Network Elements (UNE) regime, Ms. Sohn has been an effective advocate. Our company has been able to offer more efficient and less expensive service to consumers in Wyoming due to our ability to compete in this once monopoly-dominated market.

Ms. Sohn is a respected lawyer and previously served in a key role at the FCC under a former Chairman. She has an excellent understanding of the complex issues facing the FCC today and will be able to hit the ground running at the commission. I hope you will be able to be supportive of her nomination.

Sincerely

Brian Worthen

CEO, Visionary Broadband



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## Open Letter to the U.S. Senate: Confirm Gigi Sohn to the FCC

As a media entrepreneur and the only Black owner/operator of "Big 4" network affiliated broadcast TV stations in the U.S., as well as the owner of traditional and digital media platforms, including The Weather Channel, TheGrio.com, Local Now, JusticeCentral.TV, Comedy.TV, Cars.TV, HBCUGo.TV, Pets.TV, Sports.TV, Recipe.TV and many others, I take very seriously the role of the Federal Communications Commission in promoting diversity, supporting localism, and protecting freedom of speech. That is why I am supporting Gigi Sohn to be confirmed as an FCC Commissioner.

It should not be the case in 2021 that Black Americans, who comprise approximately 12% of the U.S. population, own a majority interest in less than 2% of full-power broadcast TV stations. I should not be the only Black American who owns and operates major network affiliated stations. The FCC is charged with promoting diversity of ownership and viewpoints yet has fallen short of achieving a truly diverse media landscape. Gigi Sohn understands and is a champion against this inequity.

Over many years, she has worked nonstop to promote greater competition and more minority ownership in broadcasting. As a commissioner, she would have the tools to improve ownership diversity among FCC licensees. As the first openly LGBTQ person in history nominated to the FCC, Gigi truly understands on a personal level why diversity and inclusion for all Americans matters. Please note that Mignon Clyburn, the first Black woman ever to serve as acting Chair of the FCC, understands the job extremely well and supports Gigi's confirmation, and so do I.

As an owner of local broadcast TV stations, I understand the critical importance to the health and safety of our citizens, as well as to our democracy, of robust local broadcast news organizations. According to the Pew Charitable Trusts, most Americans prefer to get their local news from local broadcasters. The FCC is supposed to promote localism but often fails to protect local broadcast affiliates against abuses from much larger companies and industries. Gigi Sohn understands this innately. For years, she has advocated for restoring a more reasonable balance of power between local broadcasters and major conglomerates in the communications ecosystem. She will use her seat on the FCC to bring the "local" back to localism.

Finally, as someone who speaks out against injustice, racism, unfairness, and corruption wherever and whenever I see it, I value our American freedom of

speech, and Gigi Sohn will help protect our rights as American citizens. Whether fighting for an open Internet or for the free speech rights of conservatives with whom she disagrees, Gigi advocates for all people to speak and be heard. That is why multiple conservatives who disagree with her on a lot of issues publicly support Gigi's confirmation to the FCC. They have seen her fight tirelessly for diversity and freedom of speech. The Senate should act quickly to confirm Gigi Sohn to the FCC. She will do a great job for our country!!!

Continued Success,

Byron Allen ■

# Statement of Newsmax CEO Christopher Ruddy Re: FCC Nominations

In the past I have dealt with both Jessica Rosenworcel and Gigi Sohn on policy issues

affecting the FCC and media and have found them to be fair-minded persons of strong integrity.

President Biden has nominated both to the FCC and I support their nominations.

Increasingly, independently operated cable news channels like Newsmax are being sidelined in favor of a small number of mega-corporations who dominate the channel

line-ups, forcing upon consumers expensive and little-watched networks. It's bad for the public interest and dangerous for democracy.

While I don't always agree with the nominees on many policy matters, Newsmax fully supports the Commission's mandate to promote diversity, localism and competition in the marketplace. Newsmax believes both nominees are committed to that mandate and I urge the Senate to confirm the nominations of Jessica Rosenworcel and Gigi Sohn.