

United States Senate

WASHINGTON, DC 20510

1029

December 4, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street Southwest
Washington, DC 20554

Dear Chairman Pai:

We are deeply concerned by your recently released proposal to roll back critical consumer protections by dismantling the Federal Communications Commission's (FCC) current net neutrality rules. A free and open Internet is vital to ensuring a level playing field online, and we believe that your proposed action may be based on an incomplete understanding of the public record in this proceeding. In fact, there is good reason to believe that the record may be replete with fake or fraudulent comments, suggesting that your proposal is fundamentally flawed.

To this end, we request a thorough investigation by the FCC into reports that bots may have interfered with this proceeding by filing hundreds of thousands of comments. Furthermore, an additional 50,000 consumer complaints seem to have been excluded from the public record in this proceeding, according to Freedom of Information Act (FOIA) requests filed by the National Hispanic Media Coalition. Without additional information about the alleged anomalies surrounding the public record, the FCC cannot conduct a thorough and fair evaluation of the public's views on this topic, and should not move forward with a vote on December 14, 2017.

New York Attorney General Eric Schneiderman has spent the past six months conducting an investigation into the fraudulent comments, and found that "hundreds of thousands" of comments may have impersonated New York residents, a violation of state law. He further asserts that the FCC has not cooperated with requests for additional data and information. Data scientist Jeff Kao has also run an analysis of the public record, and estimates that over a million comments filed in support of repealing net neutrality may have been fake. These reports raise serious concerns as to whether the record the FCC is currently relying on has been tampered with and merits the full attention of, and investigation by, the FCC before votes on this item are cast.

A transparent and open process is vitally important to how the FCC functions. The FCC must invest its time and resources into obtaining a more accurate picture of the record as understanding that record is essential to reaching a defensible resolution to this proceeding. As a result, we are requesting that you delay your planned vote on this item until you can conduct a thorough review of the state of the record and provide Congress with greater assurance of its accuracy and completeness.

Thank you for your immediate attention to this matter.

Sincerely,



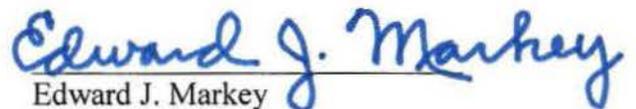
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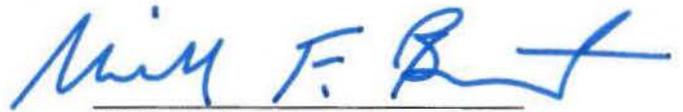
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Sheldon Whitehouse
United States Senator



Tammy Duckworth
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Michael Bennet
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Jeanne Shaheen
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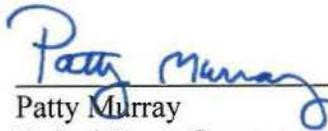
Richard Blumenthal
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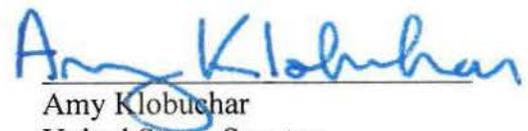


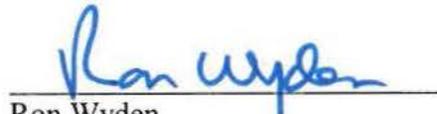
Elizabeth Warren
United States Senator

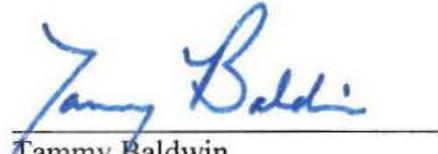


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Dianne Feinstein
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Jeffery A. Merkley
United States Senator

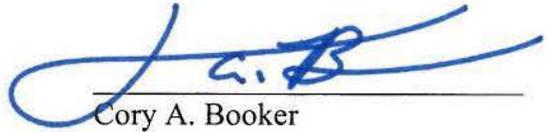

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