

February 1, 2023

The Honorable Maria Cantwell
Chair, Senate Committee on
Commerce, Science and Transportation
Russell Senate Office Building 254
Washington, DC 20002

The Honorable Ted Cruz
Ranking Member, Senate Committee on
Commerce, Science and Transportation
Dirksen Senate Office Building 512
Washington, DC 20002

Dear Chair Cantwell and Ranking Member Cruz:

We write to offer our strong support for the swift confirmation of Gigi Sohn to serve on the Federal Communications Commission (FCC). Recent reports have indicated the Senate Commerce Committee intends to move this critical nominee soon and we wholeheartedly support those efforts. We also write to strongly condemn the coordinated personal attacks that are stoking dangerous homophobia over this barrier breaking nominee who will be the first openly LGBTQ+ commissioner in history.¹ We urge the committee to reject these bigoted attacks and demonstrate its support for the LGBTQ+ community by swiftly advancing Ms. Sohn's nomination in February.

Importantly, the FCC has been without a full slate of commissioners for more than two years—a historic length of time for this agency. The FCC needs to be at full capacity to best address the breadth of critical issues before it. Multiple challenges and concerns have been raised about the accuracy of the FCC maps that will control billions of infrastructure dollars Congress has appropriated to the states. Only with a full slate of commissioners can the FCC ensure the agency can work deliberately to resolve these challenges to ensure fairness and equity in the distribution of public investments. Furthermore, a full slate of five commissioners is needed for the Commission to adopt robust digital discrimination rules by the Congressionally-mandated November 2023 deadline. A bipartisan Congress charged the FCC with addressing digital discrimination with rules and numerous studies have shown that broadband access is not being distributed equally and that systemic discrimination has occurred. This digital discrimination must not continue. Broadband access for millions of Americans, including rural, low-income and those from marginalized communities stands to benefit from an FCC that has its full slate of commissioners so it can fulfill this Congressional directive to promote equal access to broadband infrastructure. Moreover, the Commission reportedly cannot enforce an FCC proposal to fine carriers \$200 million for failing to protect consumer privacy. Other dockets—from multiple media diversity proceedings to major pending transactions to modernization of universal service—await five commissioners to vote.

For 30 years, Ms. Sohn has demonstrated a strong commitment to the public interest and to public service. As Chairwoman Rosenworcel stated this past week “Gigi Sohn is a nominee that knows this agency well.” She has consistently fought for everyone’s right to access communications services regardless of income, race, ethnicity, gender identity, sexual

¹ See Karl Bode, "[New Dumb Attack Against Gigi Sohn Tries To Shame Her For Being On The EFF's Board](#)," TechDirt (Jan. 27, 2023); see also [Senator Markey statement](#) (Jan. 27, 2023) ("It is outrageous that the FCC has gone without a full slate of commissioners while the nomination of the supremely qualified and prepared nominee, Gigi Sohn, languishes amidst lies and homophobia.")

orientation, geography, or political viewpoint. This work embodies the FCC's mission and makes Ms. Sohn a highly qualified nominee. With so many critical issues before the agency, it is imperative that the Senate make Ms. Sohn's confirmation a top priority. We are happy to provide any assistance to the committee that would facilitate swift action on this nomination because as Chairwoman Rosenworcel herself said best the FCC is an "agency that was built to operate with five and I hope that happens sooner rather than later."

Sincerely,

Common Cause

GLAAD

Demand Progress

Institute for Local Self-Reliance

Electronic Frontier Foundation

National Digital Inclusion Alliance

Fight for the Future

Public Knowledge

Free Press Action

United Church of Christ Media Justice
Ministry