

In January, President Trump designated Ajit Pai as chairman of the Federal Communications Commission (FCC). The Senate is currently considering Pai's nomination for another term that would expire in 2021. This post reviews Pai's eight-month tenure as chair and his radical agenda to roll back consumer protections and rubber-stamp the telecom industry's wish list.

## **1. ATTACKED NET NEUTRALITY**

- Launched a sweeping effort to repeal the 2015 Open Internet Order, which made net neutrality the law of the land. Repealing the order would give big broadband companies such as Comcast, Verizon, and AT&T the power to charge new fees and pick winners and losers in the online marketplace.
- Ignored widespread complaints of identity fraud and alleged DDoS attacks that prevented Americans from submitting comments about Pai's net neutrality proposal.
- Stonewalled numerous requests to publicly disclose documents related to net neutrality.
- Exempted most broadband providers from the 2015 Open Internet Order's transparency rule, leaving customers in the dark about their providers' policies.
- Pulled the plug on the FCC's investigation of "zero-rating" plans, leaving no cop on the beat to monitor whether broadband companies are using zero rating to violate net neutrality.

## **2. ABANDONED CONSUMER PRIVACY**

- Supported a Congressional Review Act resolution to repeal the FCC's broadband privacy rules. Congress repealed the rules in March despite widespread public outcry.
- Blocked a data security rule that would have required broadband providers like AT&T and Comcast to take "reasonable measures" to secure their customers' data.

## **3. PUT INDUSTRY AHEAD OF CONSUMERS**

- Killed a proceeding to reform the badly broken set-top box market, ensuring that consumers will continue to be forced to pay exorbitant fees for inefficient cable equipment.
- Abandoned his predecessor's pledge to address mandatory arbitration clauses, which are rampant in telecom contracts and extremely anti-consumer.
- Spearheaded an order to eliminate price caps in much of the business data services (BDS) market, thereby allowing broadband providers to price-gouge hospitals, schools, libraries, police departments, and other BDS customers.
- Directed FCC lawyers not to defend a 2015 order to cap the intrastate rates of prison calling services. A court later overturned the order, allowing monopolist phone providers to continue price-gouging inmates and their families with charges of up to \$14 per minute.
- Filled 28 of 30 seats on the FCC's Broadband Deployment Advisory Committee with telecom industry officials, while rejecting public interest and municipal applicants.

## **4. EXACERBATED THE DIGITAL DIVIDE**

- Blocked 9 broadband providers from offering Lifeline subsidies to low-income Americans without a reasoned explanation.
- Delayed administrative approvals for the Lifeline Modernization Order, which undercut efforts to combat fraudulent and wasteful spending like the National Eligibility Verifier.
- Refused to defend the FCC's Lifeline Modernization Order in court because it would be a "waste" of agency resources.
- Proposed repealing the Title II legal classification of broadband service, which would undercut the FCC's legal authority to offer broadband subsidies to low-income Americans.
- Proposed cutting E-Rate funding despite the program's well-documented success in connecting K-12 schools and libraries to the internet.
- Quashed an FCC staff report showing the E-Rate program has driven down the cost of broadband service for schools and libraries and more than doubled the number of school districts with robust connectivity.
- Proposed lowering the FCC's broadband speed benchmarks, which would mask the slow speeds that plague rural America instead of striving to improve connectivity.

## **5. STOKED MERGERS & STIFLED COMPETITION**

- Revived the outdated and obsolete "UHF discount," a radical move that would allow Sinclair Broadcasting's proposed takeover of Tribune Media to go through without violating federal ownership limits. If the merger is approved, the broadcasting company would reach 72 percent of U.S. households—nearly double the 39 percent national ownership cap.
- Repealed a May 2016 order that required Charter to expand service to 1 million households already being served by another provider, which would have given consumers more broadband choices and increased competition.
- Allowed AT&T to use a procedural gimmick to avoid FCC review of the company's proposed acquisition of Time Warner.
- Approved a mobile competition report that underplayed the consolidation of the wireless market, which could make it easier for the FCC to approve wireless mergers such as the rumored Sprint/T-Mobile deal.

## **6. KEPT THE PUBLIC IN THE DARK**

- Held secret meetings with Congressional Republicans between November 2016 and January 2017, despite telling reporters he hadn't talked to Congress. The meetings became public when his calendar was leaked to Politico.
- Briefed Republicans on his plans to repeal net neutrality but rejected Democratic requests for a briefing until weeks later after negative press coverage.
- Held secret meetings about net neutrality with Silicon Valley executives, raising concerns about compliance with the FCC's disclosure rules for meetings on active proceedings.