



DEPARTMENT OF JUSTICE

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Federal Communications Commission  
445 12th Street SW, Washington, DC 20554

Dear Chairman Pai, Commissioners Clyburn, O’Rielly, Carr, and Rosenworcel,

One of the most important roles that we, the undersigned Attorneys General of California, District of Columbia, Delaware, Hawaii, Iowa, Illinois, Kentucky, Massachusetts, Maryland, Maine, Mississippi, North Carolina, Pennsylvania, Rhode Island, Virginia, Vermont, and Washington, perform is to prosecute fraud. It is a role we take extremely seriously, and one that is essential to a fair marketplace. But, as members of a democracy and duty-bound officers of our states, fraud in the democratic process rings a particularly discordant tone in our ears. The ‘Restore Internet Freedom’ proposal, also known as net neutrality rollback, WC Docket No. 17-108, has far-reaching implications for the everyday life of Americans. Regardless of opinion on any underlying matter, such issues should be met with the utmost integrity of the administrative process.

Recent attempts by New York Attorney General Schneiderman to investigate supposed comments received by the FCC have revealed a pattern of facts that should raise alarm bells for every American about the integrity of the democratic process. A careful review of the publicly available information revealed a pattern of fake submissions using the names of real people. In fact, there may be over one million fake submissions from across the country. This is akin to identity theft on a massive scale – and theft of someone’s voice in a democracy is particularly concerning.

As state Attorneys General, many of our offices have received complaints from consumers indicating their distress over their names being used in such a manner. While we will investigate these consumer complaints through our normal processes, we urge the Commission to take immediate action and to cooperate with law enforcement investigations.

Woven throughout the Administrative Procedures Act is a duty for rulemakers to provide information to the public and to listen to the public. We know from advising our rulemakers at the state level that listening to the public provides insights from a diversity of viewpoints. But, if the well of public comment has been poisoned by falsified submissions, the Commission may be unable to rely on public comments that would help it reach a legitimate conclusion to the

rulemaking process. Or, it must give less weight to the public comments submitted which also undermines the process.

Given the tainted comments that are in question, we request the Commission immediately delay consideration of the "Restoring Internet Freedom" proposal until further investigation can determine exactly which comments should be considered. We also urge the Commission to cooperate with Attorney General Schneiderman's law enforcement investigation, and other state and federal law enforcement agencies in any other investigations, and to take more care to ensure the integrity of the process in the future.

While not all of us may agree on any given policy, we stand together today as prosecutors of fraud and as defenders of the democratic process. It is essential that the Commission gets a full and accurate picture of how changes to net neutrality will affect the everyday lives of Americans before they can act on such sweeping policy changes.

Sincerely,



ELLEN F. ROSENBLUM  
OREGON ATTORNEY GENERAL

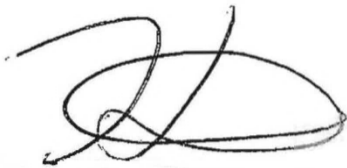
Cc Oregon Congressman Greg Walden



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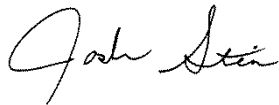
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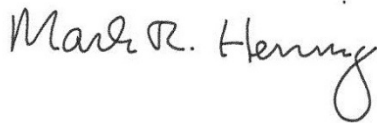
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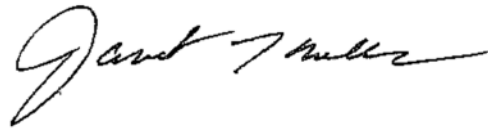
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