

March 22, 2022

Dear Senator:

The Senate may soon consider the nomination of Gigi Sohn to be a Commissioner at the Federal Communications Commission (FCC). We believe there are serious concerns about Ms. Sohn's ability to be impartial, her ethical judgments, and her lack of transparency with the Senate. We urge you to reject this nomination and to call on President Biden to nominate a more suitable candidate for this important position.

As an ideological advocate, Ms. Sohn has said, "Fox News has had the most negative impact on our democracy. It's state-sponsored propaganda, with few if any opposing viewpoints."

Ms. Sohn cheered after Tribune Broadcasting abandoned its merger with the conservative-leaning Sinclair Broadcast Group in 2018, saying, "Today is a good day for every American who believes that diversity of voices in the media is better for our democracy." Following that ironic statement, she urged the FCC to "look at whether Sinclair is qualified to be a broadcast licensee at all."

As a board member for Locast, which captured and retransmitted local broadcast signals over the internet, Ms. Sohn presided over the pirating of content without broadcasters' permission. Rather than paying broadcasters for their intellectual property, consumers of the pirated content were encouraged to donate to the nonprofit that operated Locast.

A judge ordered Locast to stop operating and plaintiffs were awarded \$32 million in damages. On the day after President Biden nominated her for the FCC, Ms. Sohn signed a \$700,000 settlement, absolving her organization of 98 percent of its liability. Perhaps the broadcasters didn't want to be on the wrong side of someone who might soon be regulating them.

As Ms. Sohn's nomination was before the Commerce Committee, she was not forthcoming about the Locast settlement. When Sen. Wicker asked Ms. Sohn where the funds came from to pay off the \$32 million settlement, she failed to acknowledge that her organization only paid two percent of that amount – and declined the Senate's request for a copy of the settlement. The Senate learned about the terms of the settlement agreement, and the date it was signed, after it was reported by Bloomberg Law.

Ms. Sohn clearly has a conflict of interest in regulating broadcasters. Her partisanship, lack of regard for intellectual property rights, and failure to be transparent with the Senate should disqualify her from serving as an FCC Commissioner.

Sincerely,

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