

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

June 28, 2017

The Honorable Jefferson B. Sessions III
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Mr. Andrew G. McCabe
Acting Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20530

I write to urge you to investigate whether federal law has been violated by the submission of fake comments to the Federal Communications Commission (FCC) using stolen identities.

This request comes after troubling reports that 14 people recently alerted the FCC that their names and addresses had been used to file net neutrality comments without their knowledge or permission.¹ Reports also indicate that 450,000 identically drafted comments have been filed in the FCC's open internet docket by an unknown party.² Other reporting suggests that the persons filing these fake comments may be using information obtained from data breaches.³

¹ Letter from 14 Persons to FCC Chairman Ajit Pai and FCC CIO David Bray (May 25, 2017) (www.fightforthefuture.org/news/2017-05-25-letter-to-the-fcc-from-people-whose-names-and/).

² *People Who Were Impersonated by Anti-Net Neutrality Spammers Blast FCC*, ARS Technica (May 25, 2017) (arstechnica.com/information-technology/2017/05/identity-theft-victims-ask-fcc-to-clean-up-fake-anti-net-neutrality-comments/).

³ *The Anti-Net Neutrality Bot Spamming the FCC is Pulling Names from Leaked Databases*, The Verge (May 11, 2017) (www.theverge.com/2017/5/11/15626278/net-neutrality-spam-bot-fcc-leak-data).

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These parties may be attempting to influence federal policy by publicly misrepresenting the views of innocent victims. As part of its online comment filing system, the FCC is also publicly listing these victims' private information, including their addresses, making this situation more urgent.

Federal law prohibits knowingly making any materially false statement or representation in any matter within the jurisdiction of the executive, legislative, or judicial branch.⁴ I am deeply concerned that the sheer number of these potentially false comments suggest a coordinated attempt to materially mislead the FCC, and therefore a coordinated attempt to break federal law. I urge you to take swift action to investigate who may be behind these comments and, if appropriate under applicable federal law and regulations, prosecute the people behind these fraudulent comments.

I appreciate your attention to this important request and ask that you provide me and my staff an update on your progress pursuing this matter one month from today on July 28. If you have any questions, please contact the minority committee staff at (202) 225-3641.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." with a stylized flourish at the end.

Frank Pallone, Jr.
Ranking Member

⁴ 18 U.S.C. 1001.