

Four key questions for Biden's FTC, FCC nominees



FCC Chairwoman Jessica Rosenworcel is poised to face questions about the agency's broadband maps. (Alex Wong/Getty Images)

Two of President Biden's top tech and telecom enforcers will face questioning from lawmakers at a confirmation hearing Wednesday that could shed light on how they'll approach crucial issues like broadband mapping, competition and data privacy.

The Senate Commerce Committee is slated to hear testimony from FTC nominee **Alvaro Bedoya** and FCC Chairwoman **Jessica Rosenworcel**, whose term is set to expire in the new year if she is not reconfirmed by the Senate prior. Neither is a particularly controversial pick, and their

nominations have yet to raise major red flags on Capitol Hill — but the session could reveal how aggressively the agencies would pursue Democratic agenda items if the nominees are confirmed.

Here are some of the top issues lawmakers are poised to raise:

What's the latest timeline for updating the FCC's broadband maps?

"Maps. Maps. Maps. And maps! When will the FCC's new broadband maps be ready? Asking for a friend." That's what **Jonathan Spalter**, CEO of trade group USTelecom, said is one of his top questions for Rosenworcel.

The FCC, along with the Commerce Department's National Telecommunications and Information Administration, is set to play a key role in dispersing the funds from [Biden's recently signed infrastructure package](#) pegged for boosting Internet connectivity nationwide.

But one major hurdle to do that are the federal government's aging maps that show who lacks Internet access, which officials overwhelmingly agree sorely need to be updated.

"We cannot afford to repeat the mistakes of the past, in which government funding was used to overbuild in some areas while leaving many other communities unserved," according to the prepared remarks of Sen. **Roger Wicker** (R-Miss.), the top Republican on the panel.

While serving as acting chair earlier this year, Rosenworcel announced the [creation of a new task force](#) dedicated to making "long-overdue" upgrades to the agency's broadband maps, but officials estimated it [could be another year](#) or more before they are ready. That could put a strain on efforts to efficiently dole out the billions in funding for broadband from the infrastructure deal.

How big will the FTC go on data privacy and civil rights issues?

Bedoya, the founder of Georgetown Law's Center on Privacy & Technology, has carved out a reputation as a strong data privacy advocate and [prominent critic of so-called surveillance technologies](#), particularly the ways in which they can harm marginalized communities.

But Wednesday's hearing could shed light on to what extent Bedoya thinks the FTC should take a more expansive approach to enforcing those areas, including by crafting its own rules.

Daniel Castro, vice president at the Information Technology and Innovation Foundation think tank, said he's hoping to hear whether Bedoya "intends to stick with the FTC's existing jurisdiction or push to expand its scope," particularly around civil rights issues.

Sen. **Ed Markey** (D-Mass.), one of Congress' most outspoken kids' privacy advocates, plans to ask Bedoya about "the necessity of enhanced kids and teens privacy," according to an aide, particularly in light of Facebook whistleblower **Frances Haugen's** disclosures on the matter.

Markey and eight other Senate Democrats [recently urged](#) leaders at the FTC in a letter to use "every tool in its toolkit to protect consumers' privacy," including by launching what's known as a rulemaking process to create new regulations in lieu of congressional action.

Sen. **Amy Klobuchar** (D-Minn.) told The Technology 202 she plans to ask Bedoya "about how the FTC can further ensure consumers are protected from harmful algorithms and privacy-intrusive practices and that Americans get the benefits of fair competition online and offline."

Is bipartisanship dead at the FTC?

FTC Chair **Lina Khan**, a favorite among progressives and critics of the technology giants, has laid out an aggressive agenda for her tenure at the agency. But her early stewardship has drawn [public rebukes from her Republican counterparts](#) and [reportedly rankled some career staffers](#).

Bedoya, a well-respected former Senate staffer who is also a star of the liberal wing, is poised to face questions from Republicans about whether the agency has drifted too far into partisanship, and whether he and his views would make it shift even more so in that direction.

"I have been concerned by the frequency with which he publicly expresses strident views on public policy matters that should be resolved through consultation and collaboration," Wicker is slated to say. "I fear that this pattern calls into question his ability to work in a collaborative manner with the other FTC commissioners on critical issues."

How big will the FCC go on broadband enforcement?

It's no secret that Democrats, if they reclaim their majority at the FCC, plan to reinstate the Obama-era net neutrality rules that block Internet providers from blocking or throttling Internet traffic from specific services, which were repealed under Republican former FCC chair **Ajit Pai**.

The testimony from Rosenworcel, who will be introduced by Sen. **Richard Blumenthal** (D-Conn.), may offer a glimpse into how aggressively a Democratic-led FCC could pursue regulatory action beyond that on competition, privacy and broadband rates.

Jeffrey Chester, executive director of consumer group Center for Digital Democracy, said he wants to hear whether Rosenworcel views the video marketplace "as highly concentrated and in need of regulation to ensure competition and fair prices for consumers of cable TV," for one.

ITIF's Castro said it'd be good to "pin down her views on whether online advertising itself represents a privacy threat to consumers," as well how the FCC plans to address concerns about Internet service providers collecting consumer data.

The Senate confirmed Big Tech critic Jonathan Kanter to lead the Justice Department's antitrust division

Jonathan Kanter's confirmation rounds out the core members of Biden's antitrust team. He was confirmed by a 68-to-29 vote Tuesday, with his nomination getting support from more than a dozen Republicans.

Before his nomination, Kanter represented companies like Microsoft and Google critic Yelp as an attorney. He has long been a vocal critic of major technology companies like Google and Apple. The Justice Department has brought a major competition case against Google and is looking at potentially anticompetitive conduct at Apple.

In his October [confirmation hearing](#), Kanter foreshadowed scrutiny of the technology industry. "I've been a strong proponent of vigorous antitrust enforcement in the technology area, among others," he told lawmakers.

Facebook parent Meta is locking down sensitive internal talks and message boards

The company spiked a November talk by a researcher on how to cope with constant negative press after its legal and communications team found that the risk of it leaking was too high, the Verge's **Alex Heath** [reports](#). The company also pulled a talk on the company's efforts to combat hate speech and bullying, according to Heath.

"The pulling of the talks highlights how a barrage of leaks and external

scrutiny has chilled the flow of information inside the company formerly known as Facebook," Heath writes. "Many of the changes appear designed to thwart the next **Frances Haugen**, who worked in the Integrity organization responsible for making the social network safer before she quit earlier this year, taking thousands of internal documents with her."

Meta told the Verge that it has made changes to internal communication processes at the company. "Since earlier this year, we have been talking about the right model of information sharing for the company, balancing openness with sharing relevant information and maintaining focus," Meta spokesperson **Mavis Jones** told the Verge. "This is a work in progress and we are committed to an open culture for the company."

FTC Chair Lina Khan sent all-staff memo last week after a GOP colleague publicly criticized her leadership

Khan sent a commission-wide memo after Republican Federal Trade Commissioner **Christine Wilson** told an antitrust conference that FTC leaders had "sidelined and disdained our staff," the Wall Street Journal's **Brent Kendall** [reports](#).

Khan's plans at the FTC "have sparked policy disagreements with Republican commissioners and produced discontent among career officials who have felt like an afterthought in her agenda," Kendall writes. People familiar with the matter "say staffers, including some at senior levels of the agency, have felt excluded from deliberations and believe their views aren't valued," he writes.

In her memo, Khan told FTC staff that she deeply cares about the FTC's mission and employees, Kendall reported. "I know that there are still many relationships and bridges to build, and I am eager to do so as we chart this path forward together," Khan wrote in the memo.

Facebook parent Meta has unveiled a new glove that is aimed at "bringing touch and sensation to the metaverse." Meta executive **Andrew Bosworth's** video of the glove implanted an image in some people's brains. BuzzFeed News's **Katie Notopoulos:**

IBM Research's **Mike Murphy:**

The Verge's **Russell Brandom:**

[Musk, Brazilian govt discuss deal to provide rural Internet, monitor Amazon \(Reuters\)](#)

[Uber reintroduces shared rides with a new name \(The Verge\)](#)

[Microsoft, Uber leaving Internet Association \(Axios\)](#)

[Google argues it owns "cloud queue" playlist patents in Sonos lawsuit](#)

[Activision CEO Bobby Kotick Knew for Years About Sexual-Misconduct Allegations at Videogame Giant \(Wall Street Journal\)](#)

[Roblox voice chat checks ID to keep kids safe, but slurs and sex sounds slip through \(Nathan Grayson\)](#)

- Congress's Joint Economic Committee [holds](#) a hearing on cryptocurrency regulation today at 2:30 p.m.
- House Intelligence Committee Chairman **Adam B. Schiff** (D-Calif.) and former Facebook executive **Katie Harbath** [discuss](#) social media misinformation at a Washington Post Live event today at 4:30 p.m.
- The Senate Commerce Committee [holds](#) a nomination hearing for **Jessica Rosenworcel**, who President Biden nominated to lead the FCC, and **Alvaro Bedoya**, who Biden nominated to be an FTC commissioner, today at 10 a.m.

- Rep. **Darrell Issa** (R-Calif.) [speaks](#) at a Save Our Standards event on patented technology underlying technical standards today at noon.
- Chatham House [hosts](#) a conference on competition policy on Thursday.
- The Federal Trade Commission [meets](#) on Thursday at 1 p.m.
- **Suresh Venkatasubramanian**, the White House Office of Science and Technology Policy's assistant director of science and justice, [speaks](#) at a New America event on an AI Bill of Rights on Thursday at 2 p.m.

That's all for today — thank you so much for joining us! Make sure to tell others to subscribe to [The Technology 202 here](#). Get in touch with tips, feedback or greetings on [Twitter](#) or [email](#).