

Written Questions Submitted by Hon. Maria Cantwell to John Chase Johnson

Communication with Congress. Regular communication with Inspectors General (“IGs”) is one of the tools that the Senate Commerce Committee (“Committee”) uses to execute its oversight authority. In the past, the Federal Communications Commission (“FCC” or “Commission”) IG has been responsive to Congress’s requests that the office conduct investigations into questionable conduct at the agency.

Question 1. Will you commit to responding to requests and questions from Members of this Committee in a timely fashion and in compliance with requested response deadlines?

Yes. Section 2(3) of the Inspector General Act of 1978 specifically tasks inspectors general (“IGs”) with keeping “Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action.” I will fully comply with that obligation to keep Congress informed.

Question 2. Will you commit to informing this Committee about whether your office is properly resourced?

Yes. Implicit in Section 6 of the Inspector General Act of 1978 is that IGs should be transparent to all stakeholders when budgets or resources might inhibit an office of inspector general (“OIG”) from performing its duties. I will keep the Committee informed about any concerns related to resources.

Question 3. Specifically, will you commit to alerting the Committee if your office is ever in need of more resources to police FCC programs for waste, fraud, and abuse?

Yes. If confirmed, I believe I would have a responsibility to inform the Committee if the FCC OIG needs more resources to police FCC programs for waste, fraud, and abuse.

Maintaining Independence. If you are confirmed to your position, it will mark the first time that the Senate has confirmed the FCC’s IG. It is essential that you take seriously your independence from all institutions and agencies of the federal government, and ensure that your judgment is not swayed by political considerations.

Question 4. Will you commit to maintaining your independence, and the independence of your office?

Yes. I believe IG and OIG independence are critical. The Inspector General Act of 1978 makes this clear by, among other things, placing IGs under the “general supervision” of the head of the establishment, providing IGs with their own budgets and hiring authority, and granting IGs broad access to agency documents.

Question 5. Will you commit to informing this Committee immediately if you are subject to any sort of political pressure, or otherwise prevented from fully performing your responsibilities as FCC IG?

Yes. Political pressure and other obstacles to performing IG responsibilities reduce actual and perceived independence. Informing the Committee about these issues is an effective way to eliminate the problem and demonstrate that the OIG will steadfastly guard its independence.

Question 6. The Inspector General Act grants IGs with broad authority to conduct audits, inspections or evaluations, and investigations. The current FCC IG recently conducted two major investigations. One concerned allegations as to whether FCC Chairman Ajit Pai took actions to improperly benefit one licensee, Sinclair Broadcasting. The second investigation examined allegations that false claims were made by the FCC that its electronic filing system was subject to cyber-attack during the net neutrality proceeding. Both of these controversies were investigated by the FCC's IG only after Congress specifically requested that action. If you are confirmed as the FCC's IG, will you pledge to closely monitor the FCC's activities and legitimate questions raised about the propriety of those activities, and initiate your own audits, evaluations, and investigations where appropriate?

Yes. I pledge to monitor and understand the FCC's activities and to begin audits, evaluations, and/or investigations based on my observations.

Question 7. Spectrum is a scarce and precious national resource that is owned by the American public, not the companies licensed to use it. The FCC's recent C-Band decision squanders that resource by giving away billions of dollars to foreign satellite carriers, based on novel and questionable readings of the law. The final incentive payments to these companies amount to almost \$10 billion. There have been allegations that the FCC majority, in closed-door meetings, cut a deal on these payouts to the foreign satellite companies licensed to use the C-Band to avoid future lawsuits and help one of those companies avoid bankruptcy. If confirmed, will you commit to taking an in-depth look at the FCC majority's decision in the C-Band proceeding, and in particular, the methodology used to determine the billion-dollar payouts, to make sure the FCC's actions complied with the law?

Yes. Spectrum allocation is one of the FCC's major functions and thus an important focus of the FCC OIG's oversight.

Question 8. In the past, the FCC IG appears to have focused its oversight of the agency's universal service programs to only certain funds. If you are confirmed, will you commit to policing all of the FCC's critical universal service programs, including the High-Cost Fund?

Yes. The FCC OIG is responsible for preventing fraud, waste, and abuse related to all funds within the Universal Service Program, including the High-Cost Fund.

Written Questions Submitted by Hon. Amy Klobuchar to John Chase Johnson

Independence of the FCC Inspector General. Last year, the Justice Department and FCC approved the proposed merger of T-Mobile and Sprint. As Ranking Member of the Antitrust Subcommittee and a member of the Commerce Committee, I have led letters to the Justice Department and the FCC raising concerns about this transaction, including regarding potential political interference by the Administration in the merger investigation and the lack of transparency in the FCC's merger review process.

Question 1. If confirmed, will you commit to remaining independent from improper political influence?

Yes. If confirmed, I will have both an ethical and statutory obligation to remain independent. I believe independence is foundational to the work of IGs because it is inherent to the task of preventing fraud, waste, and abuse and because the structure of the Inspector General Act of 1978 requires strict independence.

Question 2. What steps will you take to ensure that the Office of the Inspector General conducts investigations thoroughly and impartially?

Thorough and impartial investigations depend on careful, detailed, and thoughtful work that contains no implicit assumptions and is unimpeachable in its fact-finding and conclusions. To produce unimpeachable work I would, if confirmed:

- Follow the guidance of the Council of Inspectors General on Integrity and Efficiency;
- Scrutinize all of the work performed by the FCC OIG to ensure its impartiality;
- Publish all reports, audits, and recommendations on the FCC OIG website, no matter if publication is required;
- Be readily available to respond to this Committee and others about FCC OIG reports, audits, and recommendations; and
- Create a culture of transparency throughout the FCC OIG to eliminate potential problems or conflicts.