FCC Republican resigns, leaving agency with just two commissioners



Two commissioners of the Federal Communications Commission are resigning at the end of this week. For at least a little while, the FCC will have just two members: Chairman Brendan Carr, a Republican chosen by Trump to lead the agency, and Anna Gomez, a Democratic commissioner.

Democrat Geoffrey Starks announced in March that he would leave in the near future, and today he said that Friday will be his final day. Starks' departure could have given Carr a 2-1 Republican majority, but it turns out Republican Commissioner Nathan Simington will leave at the same time as Starks.

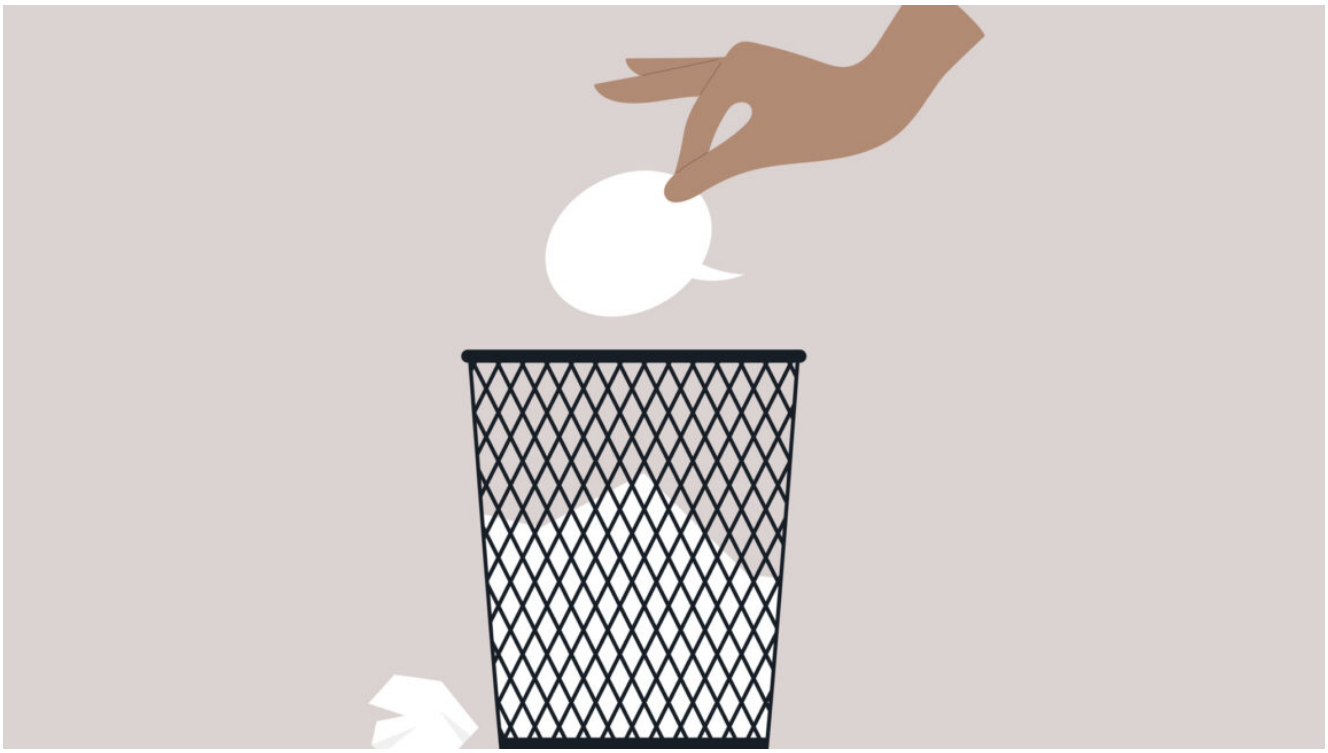
"I will be concluding my tenure at the Federal Communications Commission at the end of this week," Simington announced today. "It has been the greatest honor of my professional life to serve the American people as a Commissioner. I am deeply

honored to have been entrusted with this responsibility by President Donald J. Trump during his first term.”

Bloomberg reported in March that Simington “has also wanted to depart to take on different work,” but he didn’t announce his resignation until today. While the Carr FCC is going from a 2-2 partisan split to a 1-1 split, Carr isn’t likely to have to wait as long for a majority as his predecessor did.

https://arstechnica.com/tech-policy/2025/06/two-fcc-commissioners-resign-trumps-chair-still-lacks-republican-majority/

OpenAI slams court order to save all ChatGPT logs, including deleted chats



“The court nevertheless required OpenAI to continue preserving

API Conversation Data as well," OpenAI argued, in support of lifting the order on the API chat logs.

Users who found out about the preservation order panicked, OpenAI noted. In court filings, they cited social media posts sounding alarms on LinkedIn and X (formerly Twitter). They further argued that the court should have weighed those user concerns before issuing a preservation order, but "that did not happen here."

One tech worker on LinkedIn suggested the order created "a serious breach of contract for every company that uses OpenAI," while privacy advocates on X warned, "every single AI service 'powered by' OpenAI should be concerned."

Also on LinkedIn, a consultant rushed to warn clients to be "extra careful" sharing sensitive data "with ChatGPT or through OpenAI's API for now," warning, "your outputs could eventually be read by others, even if you opted out of training data sharing or used 'temporary chat'!"

People on both platforms recommended using alternative tools to avoid privacy concerns, like Mistral AI or Google Gemini, with one cybersecurity professional on LinkedIn describing the ordered chat log retention as "an unacceptable security risk."

On X, an account with tens of thousands of followers summed up the controversy by suggesting that "Wang apparently thinks the NY Times' boomer copyright concerns trump the privacy of EVERY @OpenAI USER—insane!!!"

The reason for the alarm is "simple," OpenAI said. "Users feel more free to use ChatGPT when they know that they are in control of their personal information, including which conversations are retained and which are not."

It's unclear if OpenAI will be able to get the judge to waver if oral arguments are scheduled.

Wang previously justified the broad order partly due to the news organizations' claim that "the volume of deleted conversations is significant." She suggested that OpenAI could have taken steps to anonymize the chat logs but chose not to, only making an argument for why it "would not" be able to segregate data, rather than explaining why it "can't."

Spokespersons for OpenAI and The New York Times' legal team declined Ars' request to comment on the ongoing multi-district litigation.

https://arstechnica.com/tech-policy/2025/06/openai-says-court-forcing-it-to-save-all-chatgpt-logs-is-a-privacy-nightmare/

Lawsuit: DOGE, HHS used "hopelessly error-ridden" data to fire 10,000 workers



When plaintiff Catherine Jackson received her termination notice, she "was surprised to see recent performance ratings that were flatly incorrect," the lawsuit said. Jackson worked in the Office of Child Care "supporting the state of Alaska and American Indian tribes in their implementation of programs that help low-income families afford childcare."

Jackson's notice "reflected a recent performance rating of 3, but she had never received a score lower than 4. Defendants had clearly used an inaccurate personnel record in determining to include her in the RIF. She has not received an offer of reinstatement or reassignment. Ms. Jackson is 68 and struggling to find a new career to support her through to retirement; her retirement annuity would have vested in a few months."

"Defendants did not seem to know where she worked"

Plaintiff Carrie Greene's termination notice said she had received a 3 in a recent performance evaluation, even though "she had never received a score lower than 5" and in fact "had

received incentive awards based on her outstanding performance every year," the lawsuit said.

Greene, who worked in the Administration for Children and Families, seemed to be "included in the RIF because her personnel records incorrectly listed her duty station as the San Francisco, CA regional office, which was closed as part of the April 1 cuts," the lawsuit said. But her team was based in Washington, DC.

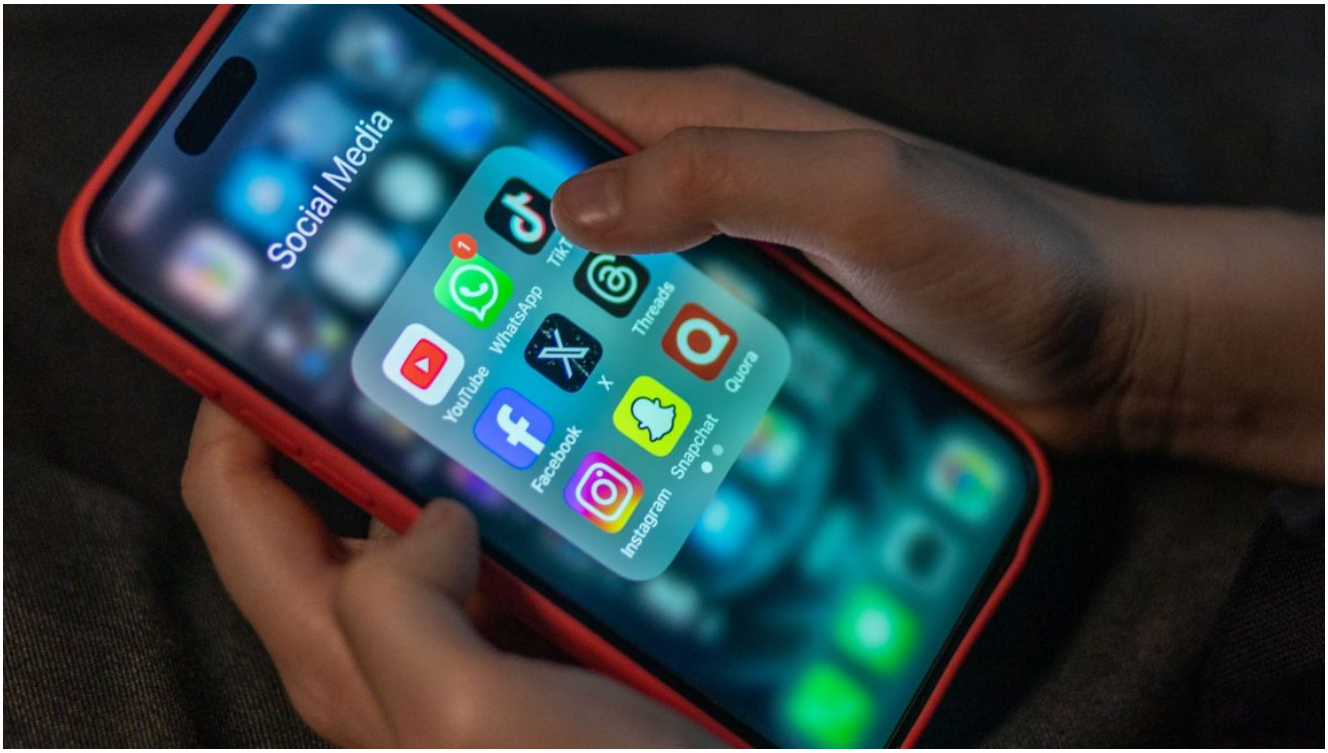
Melissa Adams, a former Office of Grants Management employee, received a termination notice containing incorrect performance ratings along with "an even more fundamental issue: Defendants did not seem to know where she worked," the lawsuit said. The defendants seemed to think that Adams was part of a Boston regional office, but she actually worked for a DC-based office and "worked remotely in Massachusetts pursuant to a longstanding reasonable accommodation," the lawsuit said.

"Ms. Adams is a single mother searching for a new job to support her and her family," the lawsuit said.

Plaintiff Vid Desai, former CIO of the FDA, received a termination notice that said "he had received a 3 in each of his most recent performance evaluations," the lawsuit said. "But this was inaccurate: his previous three performance reviews should all have rounded up to 5. As a direct result, he lost eight years of retention credit, which should have been used to determine whether he would be retained, terminated, or offered alternative assignments."

https://arstechnica.com/tech-policy/2025/06/lawsuit-doge-hhs-used-hopelessly-error-ridden-data-to-fire-10000-workers/

Florida ban on kids using social media likely unconstitutional, judge rules



A federal judge ruled today that Florida cannot enforce a law that requires social media platforms to block kids from using their platforms. The state law "is likely unconstitutional," US Judge Mark Walker of the Northern District of Florida ruled while granting the tech industry's request for a preliminary injunction.

The Florida law "prohibits some social media platforms from allowing youth in the state who are under the age of 14 to create or hold an account on their platforms, and similarly prohibits allowing youth who are 14 or 15 to create or hold an account unless a parent or guardian provides affirmative consent for them to do so," Walker wrote.

The law is subject to intermediate scrutiny under the First Amendment, meaning it must be "narrowly tailored to serve a significant governmental interest," must "leave open ample

alternative channels for communication," and must not "burden substantially more speech than is necessary to further the government's legitimate interests," the ruling said.

Florida claimed its law is designed to prevent harm to youth and is narrowly tailored because it targets sites that use specific features that have been deemed to be addictive. But the law applies too broadly, Walker found:

> *Even assuming the significance of the State's interest in limiting the exposure of youth to websites with "addictive features," the law's restrictions are an extraordinarily blunt instrument for furthering it. As applied to Plaintiffs' members alone, the law likely bans all youth under 14 from holding accounts on, at a minimum, four websites that provide forums for all manner of protected speech: Facebook, Instagram, YouTube, and Snapchat. It also bans 14- and 15-year-olds from holding accounts on those four websites absent a parent's affirmative consent, a requirement that the Supreme Court has clearly explained the First Amendment does not countenance.*

Walker said the Florida "law applies to any social media site that employs any one of the five addictive features under any circumstances, even if, for example, the site only sends push notifications if users opt in to receiving them, or the site does not auto-play video for account holders who are known to be youth. Accordingly, even if a social media platform created youth accounts for which none of the purportedly 'addictive' features are available, it would still be barred from allowing youth to hold those accounts if the features were available to adult account holders."

https://arstechnica.com/tech-policy/2025/06/federal-judge-blocks-florida-law-that-bans-kids-from-social-media/

Trump is forcing states to funnel grant money to Starlink, Senate Democrats say



Lutnick’s announcement of the BEAD overhaul also criticized what he called the program’s “woke mandates” and “burdensome regulations.” Republicans like Sen. Ted Cruz (R-Texas) have criticized a requirement for ISPs that accept subsidies to offer low-cost Internet plans to people with low incomes, though the low-cost rule was originally imposed by Congress in the law that created the BEAD program.

Letter: Projects could be delayed

two years

Although Musk last week announced his departure from the government and criticized a Trump spending bill for allegedly "undermining" DOGE's cost-cutting work, Trump still seems favorably inclined toward Starlink. Trump said in a press conference on Friday that with Starlink, Musk "saved a lot of lives, probably hundreds of lives in North Carolina," referring to Starlink offering emergency connectivity after Hurricane Helene.

Democrats' letter to Trump and Lutnick said that fiber and other terrestrial broadband technologies will be better than satellite both for residential connectivity and business networks that support US-based manufacturing.

"Data centers, smart warehouses, robotic assembly lines, and chip fabrication plants all depend on fast, stable, and scalable bandwidth. If we want these job-creating facilities built throughout the United States, including rural areas… we must act now—and we must build the high-speed, high-capacity networks those technologies demand," the letter said.

Democrats also said the Trump administration's rewrite of program rules could delay projects by two years.

"For six months, states have been waiting to break ground on scores of projects, held back only by the Commerce Department's bureaucratic delays," the letter said. "If states are forced to redo or rework their plans, they will not only miss this year's construction season but next year's as well, delaying broadband deployment by years. That's why we urge the Administration to move swiftly to approve state plans, and release the $42 billion allocated to the states by the BEAD Program."

Separately from BEAD, Trump said last month that he is killing a $2.75 billion broadband grant program authorized by

Congress. The Digital Equity Act of 2021 allows for several types of grants benefitting low-income households, people who are at least 60 years old, people incarcerated in state or local prisons and jails, veterans, people with disabilities, people with language barriers, people who live in rural areas, and people who are members of a racial or ethnic minority group. Trump called the program “racist and illegal,” saying his administration would stop distributing Digital Equity Act grants.

https://arstechnica.com/tech-policy/2025/06/trump-is-forcing-states-to-funnel-grant-money-to-starlink-senate-democrats-say/

Texas AG loses appeal to seize evidence for Elon Musk’s ad boycott fight



If MMFA is made to endure Paxton's probe, the media company could face civil penalties of up to $10,000 per violation of Texas' unfair trade law, a fine or confinement if requested evidence was deleted, or other penalties for resisting sharing information. However, Edwards agreed that even the threat of the probe apparently had "adverse effects" on MMFA. Reviewing evidence, including reporters' sworn affidavits, Edwards found that MMFA's reporting on X was seemingly chilled by Paxton's threat. MMFA also provided evidence that research partners had ended collaborations due to the looming probe.

Importantly, Paxton never contested claims that he retaliated against MMFA, instead seemingly hoping to dodge the lawsuit on technicalities by disputing jurisdiction and venue selection. But Edwards said that MMFA "clearly" has standing, as "they are the targeted victims of a campaign of retaliation" that is "ongoing."

The problem with Paxton's argument is that" it "ignores the body of law that prohibits government officials from subjecting individuals to retaliatory actions for exercising

their rights of free speech," Edwards wrote, suggesting that Paxton arguably launched a "bad-faith" probe.

Further, Edwards called out the "irony" of Paxton "readily" acknowledging in other litigation "that a state's attempt to silence a company through the issuance and threat of compelling a response" to a civil investigative demand "harms everyone."

With the preliminary injunction won, MMFA can move forward with its lawsuit after defeating Paxton's motion to dismiss. In her concurring opinion, Circuit Judge Karen L. Henderson noted that MMFA may need to show more evidence that partners have ended collaborations over the probe (and not for other reasons) to ultimately clinch the win against Paxton.

Watchdog celebrates court win

In a statement provided to Ars, MMFA President and CEO Angelo Carusone celebrated the decision as a "victory for free speech."

"Elon Musk encouraged Republican state attorneys general to use their power to harass their critics and stifle reporting about X," Carusone said. "Ken Paxton was one of those AGs who took up the call, and his attempt to use his office as an instrument for Musk's censorship crusade has been defeated."

MMFA continues to fight against X over the same claims—as well as a recently launched Federal Trade Commission probe—but Carusone said the media company is "buoyed that yet another court has seen through the fog of Musk's 'thermonuclear' legal onslaught and recognized it for the meritless attack to silence a critic that it is," Carusone said.

Paxton's office did not immediately respond to Ars' request to comment.

https://arstechnica.com/tech-policy/2025/05/texas-ag-loses-app

eal-to-seize-evidence-for-elon-musks-ad-boycott-fight/

After Supreme Court loss, ISPs ask Trump admin to block state affordability laws



A California bill would require $15 plans with download speeds of 100Mbps and upload speeds of 20Mbps. The broadband lobby groups' filing said ISPs are also worried about "unnecessary anticompetitive regulations" proposed in Connecticut, Hawaii, Maine, Maryland, Massachusetts, Minnesota, Pennsylvania, Rhode Island, Vermont, and West Virginia.

Not all the pending state bills are specifically about prices charged to low-income users. Some would impose net neutrality requirements or classify ISPs as utilities, the filing said.

Preempting state laws while simultaneously avoiding federal regulation has been a long-held dream for the broadband industry. During the first Trump administration, then-FCC Chairman Ajit Pai led a vote to eliminate the FCC's net neutrality rules and preempt all 50 states from passing their own net neutrality laws. But the FCC's broad preemption attempt failed in court.

When challenging the New York affordability mandate, ISPs claimed the state law was preempted by the Pai FCC's decision to deregulate broadband. But this argument failed for the same reason that Pai's earlier preemption attempt failed—the FCC decision to deregulate removed the FCC's strongest regulatory authority over broadband, and courts have ruled that the FCC cannot preempt state laws in an area that it is not regulating.

The Pai FCC's "order stripped the agency of its authority to regulate the rates charged for broadband Internet, and a federal agency cannot exclude states from regulating in an area where the agency itself lacks regulatory authority," the US Court of Appeals for the 2nd Circuit said in the ruling that upheld New York's law last year.

ISPs keep making same argument

ISPs still aren't giving up on the argument, as they hope a court might someday rule differently. The lobby groups' filing reminded the Department of Justice that during the first Trump administration, the government brought a preemption suit against California's net neutrality law.

"The Department unfortunately dropped out of the litigation after the change in Administration," the filing said. "But as then-Attorney General [Jeff] Sessions explained in initiating the action, California had 'enacted an extreme and illegal state law attempting to frustrate [the] federal policy' of an unfettered market for broadband, and the Justice Department

had a ‘duty to defend the prerogatives of the federal government and protect our Constitutional order.'”

https://arstechnica.com/tech-policy/2025/05/isps-urge-trump-admin-to-sue-states-that-require-cheaper-broadband-plans/

Trump threatens Apple with 25% tariff to force iPhone manufacturing into US



Donald Trump woke up Friday morning and threatened Apple with a 25 percent tariff on any iPhones sold in the US that are not manufactured in America.

In a Truth Social post, Trump claimed that he had “long ago” told Apple CEO Tim Cook that Apple’s plan to manufacture iPhones for the US market in India was unacceptable. Only US-

made iPhones should be sold here, he said.

“If that is not the case, a tariff of at least 25 percent must be paid by Apple to the US,” Trump said.

This appears to be the first time Trump has threatened a US company directly with tariffs, and Reuters noted that “it is not clear if Trump can levy a tariff on an individual company.” (Typically, tariffs are imposed on countries or categories of goods.)

Apple has so far not commented on the threat after staying silent when Trump started promising that US-made iPhones were coming last month. At that time, Apple instead continued moving its US-destined operations from China into India, where tariffs were substantially lower and expected to remain so.

In his social media post, Trump made it clear that he did not approve of Apple’s plans to pivot production to India or “anyplace else” but the US.

For Apple, building an iPhone in the US threatens to spike costs so much that they risk pricing out customers. In April, CNBC cited Wall Street analysts estimating that a US-made iPhone could cost anywhere from 25 percent more—increasing to at least about $1,500—to potentially $3,500 at most. Today, The New York Times cited analysts forecasting that the costly shift “could more than double the consumer price of an iPhone.”

It’s unclear if Trump could actually follow through on this latest tariff threat, but the morning brought more potential bad news for Apple’s long-term forecast in another Truth Social post dashed off shortly after the Apple threat.

In that post, Trump confirmed that the European Union “has been very difficult to deal with” in trade talks, which he fumed “are going nowhere!” Because these talks have apparently failed, Trump ordered “a straight 50 percent tariff” on EU

imports starting on June 1.

https://arstechnica.com/tech-policy/2025/05/trump-threatens-apple-with-25-tariff-to-force-iphone-manufacturing-into-us/

Biotech company Regeneron to buy bankrupt 23andMe for $256M



Biotechnology company Regeneron will acquire 23andMe out of bankruptcy for $256 million, with a plan to keep the DNA-testing company running without interruption and uphold its privacy protection promises.

In its announcement of the acquisition, Regeneron assured 23andMe's 15 million customers that their data—including genetic and health information, genealogy, and other sensitive

personal information—would be safe and in good hands. Regeneron aims to use the large trove of genetic data to further its own work using genetics to develop medical advances—something 23andMe tried and failed to do.

“As a world leader in human genetics, Regeneron Genetics Center is committed to and has a proven track record of safeguarding the genetic data of people across the globe, and, with their consent, using this data to pursue discoveries that benefit science and society,” Aris Baras, senior vice president and head of the Regeneron Genetics Center, said in a statement. “We assure 23andMe customers that we are committed to protecting the 23andMe dataset with our high standards of data privacy, security, and ethical oversight and will advance its full potential to improve human health.”

Baras said that Regeneron’s Genetic Center already has its own genetic dataset from nearly 3 million people.

The safety of 23andMe’s dataset has drawn considerable concern among consumers, lawmakers, and regulators amid the company’s downfall. For instance, in March, California Attorney General Rob Bonta made the unusual move to urge Californians to delete their genetic data amid 23andMe’s financial distress. Federal Trade Commission Chairman Andrew Ferguson also weighed in, making clear in a March letter that “any purchaser should expressly agree to be bound by and adhere to the terms of 23andMe’s privacy policies and applicable law.”

https://arstechnica.com/science/2025/05/biotech-company-regeneron-to-buy-bankrupt-23andme-for-256m/

Labor dispute erupts over AI-voiced Darth Vader in Fortnite



For voice actors who previously portrayed Darth Vader in video games, the Fortnite feature starkly illustrates how AI voice synthesis could reshape their profession. While James Earl Jones created the iconic voice for films, at least 54 voice actors have performed as Vader in various media games over the years when Jones wasn’t available—work that could vanish if AI replicas become the industry standard.

The union strikes back

SAG-AFTRA’s labor complaint (which can be read online here) doesn’t focus on the AI feature’s technical problems or on permission from the Jones estate, which explicitly authorized the use of a synthesized version of his voice for the character in Fortnite. The late actor, who died in 2024, had signed over his Darth Vader voice rights before his death.

Instead, the union’s grievance centers on labor rights and collective bargaining. In the NLRB filing, SAG-AFTRA alleges that Llama Productions “failed and refused to bargain in good faith with the union by making unilateral changes to terms and conditions of employment, without providing notice to the union or the opportunity to bargain, by utilizing AI-generated voices to replace bargaining unit work on the Interactive Program Fortnite.”

The action comes amid SAG-AFTRA’s ongoing interactive media strike, which began in July 2024 after negotiations with video game producers stalled primarily over AI protections. The strike continues, with more than 100 games signing interim agreements, while others, including those from major publishers like Epic, remain in dispute.

https://arstechnica.com/ai/2025/05/fortnites-ai-darth-vader-spawns-unfair-labor-practice-charge-from-voice-union/