FTC investigates “tech censorship,” says it’s un-American and may be illegal

The Federal Trade Commission today announced a public inquiry into alleged censorship online, saying it wants “to better understand how technology platforms deny or degrade users’ access to services based on the content of their speech or affiliations, and how this conduct may have violated the law.”

“Tech firms should not be bullying their users,” said FTC Chairman Andrew Ferguson, who was chosen by President Trump to lead the commission. “This inquiry will help the FTC better understand how these firms may have violated the law by silencing and intimidating Americans for speaking their minds.”

The FTC announcement said that “censorship by technology platforms is not just un-American, it is potentially illegal.” Tech platforms’ actions “may harm consumers, affect competition, may have resulted from a lack of competition, or may have been the product of anti-competitive conduct,” the FTC said.

The Chamber of Progress, a lobby group representing tech firms, issued a press release titled, “FTC Chair Rides MAGA ‘Tech Censorship’ Hobby Horse.”

“Republicans have spent nearly a decade campaigning against perceived social media ‘censorship’ by attempting to dismantle platforms’ ability to moderate content, despite well-established Supreme Court precedent,” the group said. “Accusations of ‘tech censorship’ also ignore the fact that

conservative publishers and commentators receive broader engagement than liberal voices."

Last year, the Supreme Court found that a Texas state law prohibiting large social media companies from moderating posts based on a user's "viewpoint" is unlikely to withstand First Amendment scrutiny. The Supreme Court majority opinion said the court "has many times held, in many contexts, that it is no job for government to decide what counts as the right balance of private expression—to 'un-bias' what it thinks biased, rather than to leave such judgments to speakers and their audiences. That principle works for social-media platforms as it does for others."

https://arstechnica.com/tech-policy/2025/02/ftc-investigates-tech-censorship-says-its-un-american-and-may-be-illegal/

ISP sued by record labels agrees to identify 100 users accused of piracy

Cable company Altice agreed to give Warner and other record labels the names and contact information of 100 broadband subscribers who were accused of pirating songs.

The subscribers "were the subject of RIAA or third party copyright notices," said a court order that approved the agreement between Altice and the plaintiff record companies. Altice is notifying each subscriber "of Altice's intent to

disclose their name and contact information to Plaintiffs pursuant to this Order," and telling the notified subscribers that they have 30 days to seek relief from the court.

If subscribers do not object within a month, Altice must disclose the subscribers' names, phone numbers, addresses, and email addresses. The judge's order was issued on February 12 and reported yesterday by TorrentFreak.

The names and contact information will be classified as "highly confidential—attorneys' eyes only." A separate order issued in April 2024 said that documents produced in discovery "shall be used by the Parties only in the litigation of this Action and shall not be used for any other purpose."

Altice, which operates the Optimum brand, was sued in December 2023 in US District Court for the Eastern District of Texas. The music publishers' complaint alleges that Altice "knowingly contributed to, and reaped substantial profits from, massive copyright infringement committed by thousands of its subscribers."

The lawsuit said plaintiffs sent over 70,000 infringement notices to Altice from February 2020 through November 2023. At least a few subscribers were allegedly hit with hundreds of notices. The lawsuit gave three examples of IP addresses that were cited in 502, 781, and 926 infringement notices, respectively.

Altice failed to terminate repeat infringers whose IP addresses were flagged in these copyright notices, the lawsuit said. "Those notices advised Altice of its subscribers' blatant and systematic use of Altice's Internet service to illegally download, copy, and distribute Plaintiffs' copyrighted music through BitTorrent and other online file-sharing services. Rather than working with Plaintiffs to curb this massive infringement, Altice did nothing, choosing to prioritize its own profits over its legal obligations," the

plaintiffs alleged.

ISPs face numerous lawsuits

This is one of numerous copyright lawsuits filed against broadband providers, and it’s not the first time an ISP handed names of subscribers to the plaintiffs. We have previously written articles about film studios trying to force Reddit to identify users who admitted torrenting in discussion forums. Reddit was able to avoid providing information in one case in part because the film studios already obtained identifying details for 118 subscribers directly from Grande, the ISP they had sued.

https://arstechnica.com/tech-policy/2025/02/isp-sued-by-record-labels-agrees-to-identify-100-users-accused-of-piracy/

SpaceX engineers brought on at FAA after probationary employees were fired

Kiernan is currently a lead software engineer at SpaceX, according to his LinkedIn page. Before joining SpaceX in May 2020, he worked at Wayfair and is a 2017 Dartmouth graduate.

Smeal is a software engineer who has worked at SpaceX since September 2021, according to his LinkedIn. He graduated from Saint Vincent College in 2018.

Glantz is a software engineer who has worked at SpaceX since May 2024 and worked as an engineering analyst at Goldman Sachs from 2019 to 2021, according to his LinkedIn, and graduated from the University of Michigan in 2019.

Malaska, Kiernan, Smeal, and Glantz did not immediately respond to requests for comment. The FAA also did not immediately respond to requests for comment.

In his post on X, Duffy wrote, “Because I know the media (and Hillary Clinton) will claim Elon’s team is getting special access, let me make clear that the @FAANews regularly gives tours of the command center to both media and companies.”

But on Wednesday, FAA acting administrator Chris Rocheleau wrote in an email to FAA staff, viewed by WIRED, that DOGE and the teams of special government employees deployed in federal agencies were “top-of-mind,” before noting that the agency had “recently welcomed” a team of special government employees who had already toured some FAA facilities. “We are asking for their help to engineer solutions while we keep the airspace open and safe,” he wrote, adding that the new employees had already visited the FAA Command Center and Potomac TRACON, a facility that controls the airspace around and provides air traffic control services to airports in the DC, Maryland, and Virginia areas.

In a Department of Transportation all-hands meeting late last week, Duffy responded to a question about DOGE’s role in national airspace matters, and without explicitly mentioning the new employees, suggested help was needed on reforming Notice to Air Mission (NOTAM) alerts, a critical system that distributes real-time data and warnings to pilots but which has had significant outages, one as recently as this month. “If I can get ideas from really smart engineers on how we can fix it, I’m going to take those ideas,” he said, according to a recording of the meeting reviewed by WIRED. “Great engineers” might also work on airspace issues, he said.

https://arstechnica.com/space/2025/02/spacex-engineers-brought-on-at-faa-after-probationary-employees-were-fired/

Meta claims torrenting pirated books isn’t illegal without proof of seeding

Just because Meta admitted to torrenting a dataset of pirated books for AI training purposes, that doesn’t necessarily mean that Meta seeded the file after downloading it, the social media company claimed in a court filing this week.

Evidence instead shows that Meta “took precautions not to ‘seed’ any downloaded files,” Meta’s filing said. Seeding refers to sharing a torrented file after the download completes, and because there’s allegedly no proof of such “seeding,” Meta insisted that authors cannot prove Meta shared the pirated books with anyone during the torrenting process.

Whether or not Meta actually seeded the pirated books could make a difference in a copyright lawsuit from book authors including Richard Kadrey, Sarah Silverman, and Ta-Nehisi Coates. Authors had previously alleged that Meta unlawfully copied and distributed their works through AI outputs—an increasingly common complaint that so far has barely been litigated. But Meta’s admission to torrenting appears to add a more straightforward claim of unlawful distribution of copyrighted works through illegal torrenting, which has long been considered established case-law.

Authors have alleged that “Meta deliberately engaged in one of the largest data piracy campaigns in history to acquire text data for its LLM training datasets, torrenting and sharing dozens of terabytes of pirated data that altogether contain many millions of copyrighted works.” Separate from their copyright infringement claims opposing Meta’s AI training on pirated copies of their books, authors alleged that Meta torrenting the dataset was “independently illegal” under California’s Computer Data Access and Fraud Act (CDAFA), which allegedly “prevents the unauthorized taking of data, including copyrighted works.”

Meta, however, is hoping to convince the court that torrenting is not in and of itself illegal, but is, rather, a “widely-used protocol to download large files.” According to Meta, the decision to download the pirated books dataset from pirate libraries like LibGen and Z-Library was simply a move to access “data from a ‘well-known online repository’ that was publicly available via torrents.”

https://arstechnica.com/tech-policy/2025/02/meta-defends-its-vast-book-torrenting-were-just-a-leech-no-proof-of-seeding/

Acer CEO says its PC prices to increase by 10 percent in response to Trump tariffs

PC-manufacturer Acer has said that it plans to raise the prices of its PCs in the US by 10 percent, a direct response

to the new 10 percent import tariff on Chinese goods that the Trump administration announced earlier this month.

“We will have to adjust the end user price to reflect the tariff,” said Acer CEO Jason Chen in an interview with The Telegraph. “We think 10 percent probably will be the default price increase because of the import tax. It’s very straightforward.”

These price increases won’t roll out right away, according to Chen—products shipped from China before the tariffs went into effect earlier this month won’t be subject to the increased import taxes—but we can expect them to show up in PC price tags over the next few weeks.

Chen also said that Acer was considering moving more of its manufacturing outside of China as a result of the tariffs, something that Acer had done for some of its desktop PCs after Trump imposed similar tariffs on Chinese imports during his first term. Manufacturing systems in the US is also “one of the options,” according to Chen.

https://arstechnica.com/gadgets/2025/02/acer-ceo-says-its-pc-prices-to-increase-by-10-percent-in-response-to-trump-tariffs/

OpenAI board considers special voting powers to prevent Elon Musk takeover

Poison pill another option

OpenAI was founded as a nonprofit in 2015 and created an additional “capped profit” entity in 2019. Any profit beyond the cap is returned to the nonprofit, OpenAI says.

That would change with OpenAI’s planned shift to a for-profit public benefit corporation this year. The nonprofit arm would retain shares in the for-profit arm and “pursue charitable initiatives in sectors such as health care, education, and science.”

Before making his offer, Musk asked a federal court to block OpenAI’s conversion from nonprofit to for-profit. The Financial Times article suggests that new voting rights for the nonprofit arm could address the concerns raised by Musk about the for-profit shift.

“Special voting rights could keep power in the hands of its nonprofit arm in future and so address the Tesla chief’s criticisms that Altman and OpenAI have moved away from their original mission of creating powerful AI for the benefit of humanity,” the FT wrote.

OpenAI could also consider a poison pill or a shareholder rights plan that would let shareholders “buy up additional shares at a discount in order to fend off hostile takeovers,” the FT article said. But it’s not clear whether this is a likely option, as the article said it’s just one that “could be considered by OpenAI’s board.”

In April 2022, Twitter’s board approved a poison pill to prevent a hostile takeover after Musk offered to buy Twitter for $43 billion. But Twitter’s board changed course 10 days later when it agreed to a $44 billion deal with Musk.

https://arstechnica.com/tech-policy/2025/02/openai-board-considers-special-voting-powers-to-prevent-elon-musk-takeover/

Judge orders Trump admin. to restore CDC and FDA webpages by midnight

“Irrational removal”

In his opinion, Bates cited the declarations from Stephanie Liou, a physician who works with low-income immigrant families and an underserved high school in Chicago, and Reshma Ramachandran, a primary care provider who relies on CDC guidance on contraceptives and sexually transmitted diseases in her practice. Both are board members of Doctors for America.

Liou testified that the removal of resources from the CDC’s website hindered her response to a chlamydia outbreak at the high school where she worked. Ramachandran, meanwhile, testified that she was left scrambling to find alternative resources for patients during time-limited appointments. Doctors for America also provided declarations from other doctors (who were not members of Doctors for America) who spoke of being “severely impacted” by the sudden loss of CDC and FDA public resources.

With those examples, Bates agreed that the removal of the information caused the doctors “irreparable harm,” in legal terms.

“As these groups attest, the lost materials are more than

‘academic references’—they are vital for real-time clinical decision-making in hospitals, clinics and emergency departments across the country,” Bates wrote. “Without them, health care providers and researchers are left ‘without up-to-date recommendations on managing infectious diseases, public health threats, essential preventive care and chronic conditions.’ … Finally, it bears emphasizing who ultimately bears the harm of defendants’ actions: everyday Americans, and most acutely, underprivileged Americans, seeking healthcare.”

Bates further noted that it would be of “minimal burden” for the Trump administration to restore the data and information, much of which has been publicly available for many years.

In a press statement after the ruling, Doctors for America and Public Citizen celebrated the restoration.

“The judge’s order today is an important victory for doctors, patients, and the public health of the whole country,” Zach Shelley, a Public Citizen Litigation Group attorney and lead counsel on the case, said in the release. “This order puts a stop, at least temporarily, to the irrational removal of vital health information from public access.”

https://arstechnica.com/health/2025/02/cdc-and-fda-have-until-tonight-to-restore-webpages-court-rules/

Verizon beats lawsuit from utility worker who said lead

cables made him sick

However, Ranjan found that Tiger lacked standing to bring the lawsuit. It is not clear that Tiger's symptoms were caused by working with lead-covered cables, and everyone is exposed to lead to some degree, the ruling said.

"Given the naturally occurring lead levels in the environment and in our bodies, and the fact that individuals exposed to lead may not develop any lead-related conditions or symptoms at all, mere exposure to lead—and the mere presence of lead in one's body—isn't a concrete injury," Ranjan wrote.

Verizon said in September 2023 that at sites described in the Wall Street Journal article, soil lead levels near Verizon cables were similar to lead levels in the surrounding area and did not pose a public health risk.

Verizon is also seeking dismissal of a similar lawsuit filed in US District Court for the District of New Jersey. Verizon yesterday submitted a filing to the New Jersey federal court that cited the Pennsylvania ruling. Verizon said the plaintiffs in the two cases are represented by the same legal team and that the allegations are "virtually identical."

Health claims not specific enough

Ranjan's ruling said that "Tiger hasn't alleged the presence of *elevated* levels of lead in his body," and "has not taken any blood or bone testing to measure the amount of lead that is presently in his body. This is problematic because, as indicated by the articles cited to in the amended complaint, everyone is exposed to lead, due to its prevalence in the environment." Ranjan continued:

> *Mr. Tiger might have a better argument if he had asserted conditions or non-common symptoms that are unique to or at least more consistent with elevated levels of lead in his body. But, despite his allegations that lead exposure can cause certain "catastrophic" health issues, such as reduced kidney function, neurological problems, cardiovascular problems, and cancer, he has not alleged that he suffers from these ailments or that they are even imminent.*
>
> *And, from the complaint, the Court cannot tell the amount or extent of Mr. Tiger's exposure to lead, e.g., whether, and the extent to which, the alleged exposure to Verizon's lead cables increased his risk of contracting an illness or condition, such that it posed an unacceptable risk to his health, and whether there is a dangerous amount of lead in his body. Simply put, the Court requires more concrete confirmation that Mr. Tiger has suffered an injury—or is at imminent and substantial risk of suffering an illness—likely caused by exposure to lead.*

In summary, the judge decided that the "complaint fails to plead any cognizable injury-in-fact" and that the "theories of injury in the context of this specific case are too conjectural and speculative." Ranjan dismissed the complaint without prejudice and said in a footnote that "nothing in this opinion should be construed as a finding that Mr. Tiger lacks standing to bring any of his claims in state court."

https://arstechnica.com/tech-policy/2025/02/verizon-beats-lawsuit-from-utility-worker-who-said-lead-cables-made-him-sick/

DOGE can’t use student loan data to dismantle the Education Dept., lawsuit says

Microsoft declined to comment, but allegedly the DOGE employees are “using AI software accessed through Microsoft’s cloud computing service Azure to pore over every dollar of money the department disburses, from contracts to grants to work trip expenses,” one source told the Post.

The lawsuit noted that several DOE employees have tried to block DOGE’s access by raising red flags up the command chain, but DOE leadership directly instructed lower-level employees to grant DOGE access, the same source alleged.

A big concern is that DOGE funneling education data into AI systems will cause sensitive data to be stored in a way that makes it more vulnerable to cyberattacks or data breaches. Another issue could be the AI system being error-prone or potentially hallucinating data that is driving decisions on major DOE cuts.

On Thursday, a DOE deputy assistant secretary for communications, Madi Biedermann, issued a statement insisting that DOGE employees are federal employees who have undergone background checks to be granted requisite security clearances.

“There is nothing inappropriate or nefarious going on,” Biedermann said.

Trump has similarly waved away concerns over DOGE’s work at DOE and other departments that officials worry are experiencing a “blitz” of seemingly unlawful power grabs, the

Post reported. On Monday, Trump told reporters that “if there’s a conflict” with DOGE accessing Americans’ data, “then we won’t let him get near it.” But seemingly until Trump agrees there’s a conflict, Musk’s work with DOGE must go on, Trump said.

“We’re trying to shrink government, and he can probably shrink it as well as anybody else, if not better,” Trump suggested.

While thousands of Americans are suing, confused over whether they need to urgently protect their private financial data, one DOE staffer told the Post that DOGE “is working with almost unbelievable speed.” The staffer ominously suggested that it may already be too late to protect Americans from invasive probes or defend departments against cuts.

“They have a playbook, which is to get access to the data,” the staffer told the Post. “And once they’re in, it’s already over.”

https://arstechnica.com/tech-policy/2025/02/lawsuit-tries-to-block-doges-access-to-student-loan-data/

UK demands Apple break encryption to allow gov’t spying worldwide, reports say

The United Kingdom issued a secret order requiring Apple to create a backdoor for government security officials to access encrypted data, The Washington Post reported today, citing

people familiar with the matter.

UK security officials “demanded that Apple create a backdoor allowing them to retrieve all the content any Apple user worldwide has uploaded to the cloud,” the report said. “The British government’s undisclosed order, issued last month, requires blanket capability to view fully encrypted material, not merely assistance in cracking a specific account, and has no known precedent in major democracies.”

Apple and many privacy advocates have repeatedly criticized government demands for backdoors to encrypted systems, saying they would harm security and privacy for all users. Backdoors developed for government use would inevitably be exploited by criminal hackers and other governments, security experts have said.

The UK is reportedly seeking access to data secured by end-to-end encryption with Apple’s Advanced Data Protection, which prevents even Apple from seeing user data. Advanced Data Protection is an optional setting that users can enable for iCloud backups, photos, notes, and other data.

“Rather than break the security promises it made to its users everywhere, Apple is likely to stop offering encrypted storage in the UK,” The Washington Post paraphrased its sources as saying. “Yet that concession would not fulfill the UK demand for backdoor access to the service in other countries, including the United States.”

Apple opposes UK snooping powers

The Technical Capability Notice was reportedly issued by the UK Home Office under the Investigatory Powers Act (IPA). The 2016 law is nicknamed the Snoopers’ Charter and forbids unauthorized disclosure of the existence or contents of a warrant issued under the act.

“Apple can appeal the UK capability notice to a secret technical panel, which would consider arguments about the expense of the requirement, and to a judge who would weigh whether the request was in proportion to the government’s needs. But the law does not permit Apple to delay complying during an appeal,” the Post wrote.

https://arstechnica.com/tech-policy/2025/02/uk-demands-apple-break-encryption-to-allow-govt-spying-worldwide-reports-say/