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Legislative Update

Your Municipal Communications Resource

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Update in Washington

by Dave Garb, Legislative Committee Chair

Federal Communications Commission Nominee – Take 2

President Joseph Biden has renominated Gigi Sohn to serve as 5th FCC Commissioner.

Sohn, who was first nominated in October of 2021, had been opposed by certain corporate Democrats targeted by telecom lobbyists who pushed them to oppose her from joining the regulatory panel. and thus, Sohn did not have enough support the first time around.

After the President's re-appointment, digital and consumer rights advocates called on the U.S. Senate to swiftly confirm Sohn, a lawyer, public advocate, and longtime net neutrality defender to the Federal Communications Commission.

With the current 2-2 FCC makeup, the panel has been unable to vote on the protections. This has undermined the agency's ability to effectively address the Biden administration's telecommunications priorities. Sohn's confirmation would give Democrats a 3-2 majority at the FCC, allowing them to challenge issues, such as reinstating the net neutrality rules, that the Republican-led FCC voted to repeal in 2017.

CHAIRWOMAN ROSENWORCEL STATEMENT ON NOMINATION

WASHINGTON, January 3, 2023—Federal Communications Commission

Chairwoman Jessica Rosenworcel made the following statement at the start of the 118th Congress as President Biden nominated Gigi Sohn to serve as a Commissioner at the agency: "I'm proud of the work the Commission has accomplished in the last two years. Closing the Homework Gap, broadband access and affordability, telehealth, mapping, and network security are top priorities and we've acted accordingly. Gigi is a knowledgeable nominee with a long record of commitment to the issues before the FCC and I congratulate her on nomination as a Commissioner at the agency. I look forward to the day we have a full complement of five commissioners."

STATEMENT OF COMMISSIONER GEOFFREY STARKS ON NOMINATION

WASHINGTON, January 4, 2023—FCC Commissioner Geoffrey Starks issued the following statement on President Biden's nomination of Gigi Sohn to serve as Commissioner: "As I said during the last Congress, Gigi Sohn is an accomplished leader whose talent, expertise, and experience will invigorate our work at the FCC. I continue to hold that view. Whether we're protecting consumers, securing our networks, or bringing the promise of new technologies.

Sohn's confirmation to the agency would help to push one of the campaign pledges made by the President: to reinstate the rules requiring that internet service providers treat all online traffic equally.

Update on the Protecting Community Television Act

The Protecting Community Television Act did not get acted on during the last Congress even though it had the support of large contingent of Congressional members on both the Senate and the House sides. This important legislation would have ensured that community television operations would have continued to receive the resources they needed to inform and educate their viewers in all the cities and municipalities where they operate. Currently, as part of cable franchise agreements, local governments are permitted to require cable companies to meet community needs by providing in-kind contributions that benefit public, educational, and government channels (PEG), as well as schools and public safety buildings.

However, the FCC voted in August of 2019 to permit cable companies to assign a value to these contributions and then subtract that amount from the franchise fees they pay.

As a result, local governments were forced to make a hard decision between supporting their PEG stations in cable franchise agreements or supporting other important services.

Since its beginnings, community television has been a critical part of our local lives. It has given a voice to artists, governments, nonprofits, and other community members who otherwise would have a difficult task in being heard.

The Protecting Community Television Act would have clarified that the franchise fees that cable companies provided to local governments would have only included monetary assessments and not in-kind contributions.

It will now have to be reintroduced in the new Congress and be re-sponsored in order for it to be bought up for action to have it voted on.

JAG (Jersey Access Group) is an organization that advocates, promotes, and preserves the right to media production, distribution, civic engagement, and education in support of diverse community voices, through Public, Educational and Government access facilities and other forms of media.

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