



Legislative Update

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FCC Nominee Withdraws from Confirmation Proceedings

by Dave Garb, Legislative Committee Chair

Sad news came out recently, when Gigi Sohn, a longtime public interest advocate and former Democratic FCC official, withdrew her nomination to the FCC. She said her decision to pull out follows “unrelenting, dishonest and cruel attacks” made by cable and media industry lobbyists. This announcement is seen as a huge defeat for consumer advocates, who had rallied behind her.

The Biden administration has a very ambitious broadband agenda that has been up in the air for more than two years, amid a 2-2 stalemate at the FCC. Sohn was first nominated by the White House in October 2021, and had the support of many consumer advocate groups.

Sohn’s withdrawal statement was direct and to the point:

“Last night after discussions with my family and careful consideration, I made the decision to ask President Biden to withdraw my nomination to the Federal Communications Commission. When I accepted his nomination over sixteen months ago, I could not have imagined that legions of cable and media industry lobbyists, their bought-and-paid-for surrogates, and dark money political groups with bottomless pockets would distort my over 30-year history as a consumer advocate into an absurd caricature of blatant lies. The unrelenting, dishonest and cruel attacks on my character and my career as an advocate for the public interest have taken an enormous toll on me and my family.

Unfortunately, the American people are the real losers here. The FCC deadlock, now over two years long, will remain so for a long time. As someone who has advocated for my entire career for affordable, accessible broadband for every American, it is ironic that the 2-2 FCC will remain sidelined at the most consequential opportunity for broadband in our lifetimes. This means that your broadband will be more expensive for lack of competition, minority and underrepresented voices will be marginalized, and your private information will continue to be used and sold at the whim of your broadband provider. It means that the FCC will not have a majority to adopt strong rules which ensure that everyone has nondiscriminatory access to broadband, regardless of who they are or where they live, and that low income students will continue to be forced to do their school work sitting outside of Taco Bell because universal service funds can’t be used for broadband in their homes. And it means that many rural Americans will continue the long wait for broadband because the FCC can’t fix its Universal Service programs.

It is a sad day for our country and our democracy when dominant industries, with assistance from unlimited dark money, get to choose their regulators. And with the help of their friends in the Senate, the powerful cable and media companies have done just that.

I want to thank President Biden for his faith in me and for my champions in the Senate who defended me at every turn. I especially want to thank the dozens of people who volunteered their time and energy to help me through this process, as well as the over 400 organizations, companies and trade associations, and hundreds of thousands of individuals who registered their support with the Senate. I will forever be grateful for their efforts on my behalf.

I hope the President swiftly nominates an individual who puts the American people first over all other interests. The country deserves nothing less.”

So, after a 16-month ordeal and 3 intense Senate confirmation hearings, what happens next? A new nominee

will have to be found with another lengthy and grueling confirmation period to follow. And any policy changes at the FCC will continue to be delayed.

Protecting Community Television Act Reintroduced in Both the House of Representatives and the Senate

The Identical “Protecting Community Television Act” bills, S.340, sponsored by Senator Edward Markey, & H.R.907, sponsored by Representative Anna Eshoo, have been reintroduced in Congress. These bills would reverse the regulations made by the Federal Communications Commission (FCC) and ensure that public, educational, and government (PEG) channels have the assets they need to keep producing content for their viewers.

There are already many members of Congress who have already co-sponsored both bills. We ask that all of you to reach out and ask our Federal Legislators to support the Protecting Community Television Acts. It falls on all of us in New Jersey to do our part to see that our Senators and Representatives are ready to re-support them, and lead the way in making sure that every municipality’s voices can continue to be heard by their specific audiences.



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