

President Obama Nominates Jessica Rosenworcel for Second Term as FCC Commissioner

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Legislative Activity

MOBILE NOW Act Reintroduced in Senate

On Tuesday, January 3, Sen. John Thune (R-SD), chairman of the Senate Committee on Commerce, Science, and Transportation (Senate Commerce Committee), reintroduced [S.19](#), the ***Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless (MOBILE NOW) Act***. The bill targets the build-out of next-generation 5G wireless broadband networks by ensuring that more spectrum is made available for commercial use and by reducing various regulatory barriers associated with network build-out. Sen. Thune introduced the bill during the 114th Congress, and the Senate Commerce Committee passed it by voice vote in March 2016. However, the legislation was never passed by the full Senate. In a press release, Sen. Thune characterized the bill as “a gateway to faster and more extensive wireless coverage that empowers more Americans to use technologies requiring a connection to the internet.” Sen. Thune further indicated that the MOBILE NOW Act is “an early technology priority” for the 115th Congress and one that he expects the Senate Commerce Committee to “send to the Senate floor soon.”

Rep. Walden Introduces Two Telecom Bills

On Wednesday, January 4, Rep. Greg Walden (D-OR), the chairman of the House Energy & Commerce Committee (House Commerce Committee) introduced two telecom bills. While the text of the bills has not yet been released, the bill titles suggest that the first bill, [H.R.290](#), would “provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission [FCC].” The second bill, [H.R.288](#), would “ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.” Both bills have been referred to the House Commerce Committee for consideration.

Regulatory Activity

President Obama Nominates Jessica Rosenworcel for Second Term as FCC Commissioner

On January 4, President Barack Obama nominated former FCC Commissioner Jessica Rosenworcel for reappointment as an FCC Commissioner according to a White House [press release](#). Ms. Rosenworcel's tenure as a Commissioner ended January 3 after the previous session of Congress did not reconfirm her for a second term. Her nomination for a second term has been sent to the Senate for confirmation and, if confirmed, she would serve a five year term from July 1, 2015. FCC Chairman Tom Wheeler issued a [statement](#) "applaud[ing] President Obama's reappointment of Jessica Rosenworcel to the FCC" and expressing his "hope that Congress will act quickly to confirm her nomination." According to some reports, Senate Republicans—including Senate Commerce Committee Chairman John Thune—are opposed to reconfirming Ms. Rosenworcel prior to President-Elect Donald Trump taking office.

FCC's Media Bureau Denies Petitions for Reconsideration of Certain Ownership Reporting Obligations of Broadcast Stations; FCC Commissioners Pai and O'Rielly Issue Statement Objecting to Decision

On January 4, the FCC's Media Bureau released an [Order on Reconsideration](#) denying petitions for reconsideration of the [323 and 323-E Order](#). The *323 and 323-E Order* revised the FCC Form 323 (Ownership Report for Commercial Broadcast Stations) and Form 323-E (Ownership Report for Noncommercial Broadcast Stations) by, among other things, adopting a requirement that form filers "provide a unique FCC Registration Number (FRN) generated by the Commission Registration System (CORES) . . . for each attributable interest holder that must be reported on the forms," according to the Media Bureau. Petitions for reconsideration were filed by the "American Public Media Group (APMG), the NCE Licensees, the Public Broadcasting Parties, and the State University of New York (SUNY)" seeking "reconsideration of the [FCC's] decision to apply the FRN requirement to Form 323-E." The Media Bureau stated that the petitions were denied "because they repeat arguments that the [FCC] fully considered and rejected in the *323 and 323-E Order* and they identify no material error, omission, or other reason warranting reconsideration."

FCC Commissioners Ajit Pai and Michael O'Rielly released a [statement](#) "strongly object[ing] to the Media Bureau's decision," stating that the *323 and 323-E Order* ruling "no longer enjoys the support of the majority of Commissioners – nor is there a majority that supports [the] Media Bureau decision – so it was wrong for the Bureau to bypass Commissioners and reaffirm these reporting requirements unilaterally." Commissioners Pai and O'Rielly "encourage[d] public broadcasters to file an application for review so that the newly constituted Commission will have an opportunity to revisit this matter," commenting that the *323 and 323-E Order* "impose[d] unnecessary reporting requirements on noncommercial educational (NCE) television stations."

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