

[US] Federal Communications Commission to Seat four new Commissioners

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The United States Federal Communications Commission (FCC) will soon have four new commissioners, including a new chairman. The FCC, the federal administrative agency tasked with regulating the U.S. communications industry, is headed by a total of five commissioners (including a chairman) nominated by the President and confirmed by the Senate. At least two of the five seats must be filled by individuals that are not affiliated with the party in power. Since the only returning commissioner is a Democrat, President Clinton will nominate two Democrats and two Republicans to fill the four vacant seats. Appointments are for five-year terms.

Chairman Reed Hundt, who has overseen the eighteen-month implementation of the historic Telecommunications Act of 1996, will step down as soon as a replacement is confirmed. President Clinton has nominated Democrat William Kennard to take over as Chairman. Kennard has served as the General Counsel of the FCC since December 1993. As General Counsel, Kennard is credited for increasing the FCC's winning percentage of appealed FCC actions in the Court of Appeals from 55% to 85%. Before serving as the FCC's General Counsel, Kennard practised as a partner in a communications law firm where he specialised in broadcast and cable issues. Kennard began his legal career at the National Association of Broadcasters, where he served as Assistant General Counsel. Michael Powell (son of Colin Powell, the former Chairman of the Joint Chiefs of Staff) has been nominated by President Clinton to replace Rachael Chong for one of the Republican seats at the Commission. While Chong's term has already expired, she will serve until her replacement has been confirmed. Powell has been the Chief of Staff for the Antitrust Division of the Department of Justice since December 1996. Before that, Powell was an associate with a law firm where he practised telecommunications, antitrust and administrative law.

Clinton nominated Harold Furchtgott-Roth in May to fill the other Republican seat vacated by Andrew Barrett over a year ago. Furchtgott-Roth is the House Commerce Committee's chief economist. His "free market" ideology may prove interesting in the wake of further media mega-mergers and the introduction of competition into local telecommunications markets and in the cable television industry.

While not yet official, President Clinton is expected to nominate Gloria Tristani to fill the second vacant Democratic seat. Tristani currently serves as a commissioner of the New Mexico State Corporation Commission. Tristani had intended to run for Governor of New Mexico in 1998, but has indicated that she will abandon those plans if she is named an FCC commissioner. Her background as a regulator from New Mexico is expected to please politicians that were demanding a nominee with a rural background.

Since Reed Hundt is stepping down before the end of his term, either Kennard or Tristani will complete the rest of Hundt's five-year term which expires next year, and would then presumably be renominated. The other will receive a fresh five-year term and will replace long term commissioner, James Quello. Quello's term ended in June. Susan Ness will be the sole returning commissioner. Ness was appointed by President Clinton in his first term. The Senate Commerce Committee was expected to address all four nominations in hearings during September with a vote on the nominations sometime in October. A final vote by the entire Senate is then expected by early November.

