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The Genachowski Commission Takes Shape

Senate confirms all FCC appointments, Chairman names new Bureau heads

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Ahh, mid-summer – and, with Fall already on the way, change is in the air. Like college campuses welcoming hordes of beanie-wearing fresh-faced frosh, the Portals is experiencing its own influx of new blood.

In the past month, the Senate has reviewed and passed on 80% of the Eighth Floor, confirming two new Commissioners, re-confirming one, and (finally) putting its imprimatur on the new Chairman. At the same time, we bid a hearty farewell to the harmonica-jamming Jonathan Adelstein, who is taking his show on the road over to the Rural Utility Services at the USDA.

Here's a quick program to help you recognize the players.

First and most obviously, we have the new Chairman, Julius Genachowski. No stranger to the FCC, he served as Chief Counsel to Chairman Reed Hundt and Special Counsel to then General Counsel (but soon-to-be Chairman) Bill Kennard back in the mid-1990s. A Harvard Law classmate of President Obama – he served as the Chairman of then-candidate Obama's Technology, Media and Telecommunications Working Group, which helped shape the President's telecommunications policies during the campaign – he clerked for two Supreme Court Justices (and a D.C. Circuit judge, to boot), spent some time on Capitol Hill and, after leaving the Commission in 1997, worked in the technology sector as an executive and entrepreneur. While the new Chair has tended toward the new tech end of things, broadcasters will appreciate that he has roots in their backyard: his résumé includes a stint as a writer and researcher for Fred Friendly. Oh yeah, he's also a certified emergency medical technician and former CPR instructor.

Next up, Commissioner Robert McDowell, returning for a new term. Filling one of the Republican seats, McDowell has served on the Commission since 2006. A lawyer by training, he was an executive for an association representing competitive facilities-based telecommunications service providers and their supplier partners before joining the FCC.

One of two new faces at the Portals is Commissioner Mignon Clyburn. Clyburn knows about government regulations, having served the past 11 years on the Public Services Commission of South Carolina. (She was Chair of the PSC for two of those years.) Prior to that, she was the publisher and general manager of the *Coastal Times*, a weekly newspaper in Charleston, South Carolina. Her father, House Majority Whip James Clyburn, is the highest-ranking African-American member of Congress.

The second new face is that of Meredith Attwell Baker. You probably heard of her back when the DTV Transition was all over the news: she was then acting head of the National Telecommunications and Information Administration (NTIA), which (among other things) was in charge of the DTV converter box coupon program. Prior to her stint in the government, Baker spent several years in the telecom industry. She also has a prominent relative: her father-in-law is James Baker, former Secretary of State.

While Commissioners Clyburn and Baker received their Senate confirmations on July 24, their paperwork had still not been completed a week later — apparently the White House still needed to dot some i's and cross some t's — but there is no doubt that they will be on board soon. As of this writing, neither Clyburn nor Baker had announced any staffing appointments, but the new Chair (who is fully ensconced on the 8th Floor) had.

His Chief of Staff is Edward Lazarus, an attorney who had been co-head of the “global litigation practice” of a world-wide firm with more than 800 lawyers. His two senior advisors – Colin Crowell and Bruce Liang Gottlieb – have considerable experience on the Hill and at the FCC, respectively. Sherrese Smith will be Genachowski's go-to Legal Advisor for media matters. She was most recently Vice President and General Counsel for Washington Post Digital, and has deep roots in the area of intellectual property. Finally, long-time Commission veteran Mary Beth Richards is back from a three-year tour in the FTC's Bureau of Consumer Protection. Prior to that, she had spent 23 years in a number of positions throughout the FCC. Richards will head up the FCC Reform initiative “to provide openness and transparency”.

Down at the Bureau level, William “Bill” Lake is the new permanent chief of the Media Bureau. He is a communications lawyer who served as head of the Commission's DTV task force in the march-up to the transition. Bob Ratcliff, who had been serving as acting chief, will now become a Deputy Chief in the Media Bureau, as will Kris Monteith, formerly Chief of the Enforcement Bureau.

Other new appointments include: Chief, Wireless Bureau – Ruth Milkman; Chief, Public Safety and Homeland Security Bureau – Rear Admiral (ret.) Jamie Barnett; Managing Director – Steven VanRoekel; General Counsel – Austin Schlick; Chief, Office of Strategic Planning and Policy Analysis – Paul de Sa; Director, Office of Legislative

Affairs – Terri Glaze; and Chief Economist – Jonathan Baker.

Also, there are reports that Julius Knapp will remain the chief of the Office of Engineering and Technology.

So there you have it. While there may be a slight hiccup in on-going proceedings as the new folks adjust their chairs and personalize their computer desktops, August is always slow in Washington (it used to be a swamp, you know). Still, we're hoping that the new team will be ready to hit the ground running. We will, of course, provide you with updates – on our blog (www.commlawblog.com), on our Facebook page and through Twitter – as events unfold.