

# ASSEMBLY RESOLUTION No. 169

## STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED DECEMBER 12, 2024

**Sponsored by:**

**Assemblyman ROBERT AUTH**

**District 39 (Bergen)**

**Co-Sponsored by:**

**Assemblymen Myhre**

**SYNOPSIS**

Urges US President and FCC to investigate National Broadcasting Company for potential violation of FCC rule on equal opportunity broadcast time of political candidates.

**CURRENT VERSION OF TEXT**

As introduced.



AR169 AUTH

2

1 **AN ASSEMBLY RESOLUTION** urging the President of the United  
2 States and the Federal Communications Commission to  
3 investigate the National Broadcasting Company for potential  
4 violations of certain rules governing political programming.  
5  
6 **WHEREAS**, On November 2, 2024, three days before the 2024  
7 presidential election, Saturday Night Live (SNL), a late-night  
8 comedy variety show aired by the National Broadcasting Company  
9 (NBC), aired a comedy skit featuring presidential candidate Kamala  
10 Harris; and  
11 **WHEREAS**, Pursuant to the Federal Communications Commission  
12 (FCC) rules on political programming, if a station licensee permits  
13 a legally qualified candidate for public office to use its facilities, the  
14 station is required to afford equal opportunities to all other legally  
15 qualified candidates for that office to use such facilities; and  
16 **WHEREAS**, Under these rules, the FCC seeks to ensure that no legally  
17 qualified candidate for office is unfairly given less access to the  
18 airwaves, apart from bona fide news exemptions, than the  
19 candidate's opponent, sometimes referred to as the "equal time"  
20 rule; and  
21 **WHEREAS**, As the station licensee regulated by the FCC that aired  
22 SNL, NBC is subject to the rules on political programming, and  
23 NBC's failure to provide equal time to an opposing political  
24 candidate on SNL may be a violation of those rules; and  
25 **WHEREAS**, SNL aired the comedy skit featuring Harris but did not  
26 provide airtime of an equal amount of time on the same night to  
27 Harris's opponent, presidential candidate Donald J. Trump; and  
28 **WHEREAS**, Amidst pushback on Harris's SNL appearance from  
29 several sources, including Brendan Carr, a commissioner of the  
30 FCC, NBC eventually provided Trump with some last-minute air  
31 time during its coverage of the National Association for Stock Car  
32 Auto Racing (NASCAR) Playoffs race and the National Football  
33 League (NFL) game on the night of November 3, 2024; and  
34 **WHEREAS**, Notwithstanding NBC's rushed effort to rectify the  
35 concerns over an FCC violation, NBC may still be in violation of  
36 the FCC rules for failing to provide Trump with comparable  
37 broadcast time and placement to Harris; and  
38 **WHEREAS**, In accordance with the rules, the FCC may revoke any  
39 station license for willful failure to allow reasonable access to the  
40 use of a broadcasting station, other than a non-commercial  
41 educational broadcast station, by a legally qualified candidate for  
42 federal elective office on behalf of the candidacy; and  
43 **WHEREAS**, The FCC has a duty to enforce its rules and investigate  
44 NBC's alleged failure to provide equal opportunities of time to  
45 opposing political candidates in the 2024 presidential election; and  
46 **WHEREAS**, In the event that NBC is found to have violated the equal  
47 time rule, the FCC should suspend NBC's broadcasting license;  
48 now, therefore,

1       **BE IT RESOLVED** *by the General Assembly of the State of New*  
2 *Jersey:*

3

4       1. The General Assembly urges the President of the United  
5 States and the FCC to investigate NBC's potential violation of its  
6 rules on political programming. In the event that NBC is found to  
7 be in violation of FCC rules on political programming, the General  
8 Assembly urges the President of the United States and the FCC to  
9 suspend NBC's broadcasting license.

10

11       2. Copies of this resolution, as filed with the Secretary of State,  
12 shall be transmitted by the Clerk of the General Assembly to the  
13 President of the United States and the Chairwoman of the FCC.

14

15

16

STATEMENT

17

18       This resolution urges the President of the United States and the  
19 Federal Communications Commission (FCC) to investigate a  
20 potential violation of the equal time rule on political programming  
21 by the National Broadcasting Company (NBC). Additionally, in the  
22 event that NBC is found to be in violation of the equal time rule,  
23 this resolution urges the President of the United States and the FCC  
24 to suspend NBC's broadcasting license.

25

26       On November 2, 2024, three days before the 2024 presidential  
27 election, Saturday Night Live (SNL), a late-night comedy variety  
28 show aired by NBC, aired a comedy skit featuring presidential  
29 candidate Kamala Harris. Pursuant to the Federal Communications  
30 Commission's (FCC) rules on political programming, if a station  
31 licensee permits a legally qualified candidate for public office to  
32 use its facilities, it is required to afford equal opportunities to all  
33 other legally qualified candidates for that office to use such  
34 facilities. As the station airing SNL, NBC failed to provide the  
35 opposing presidential candidate, Donald J. Trump, an equal amount  
36 of time on SNL. Amidst pushback on Harris's SNL appearance  
37 from several sources, including Brendan Carr, a commissioner of  
38 the FCC, NBC eventually provided Trump with some last-minute  
39 air time during its coverage of the National Association for Stock  
40 Car Auto Racing (NASCAR) Playoffs race and the National  
41 Football League (NFL) game on the night of November 3, 2024.  
42 Regardless of that rushed response, NBC may still be in violation of  
43 the FCC rules for failing to provide Trump with comparable  
44 broadcast time and placement to Harris. The FCC has a duty to  
45 investigate potential violations of their rules, including the alleged  
46 violation of NBC's failure to provide equal opportunities of time to  
opposing political candidates in the 2024 presidential election.