

MEMO TO PRESIDENT OBAMA:

Communications Policy for the New Administration

Presented By:
Communications Law & Policy Society
Syracuse University College of Law



Microsoft is pleased to sponsor the 4th Annual Syracuse Communications Law and Policy Symposium that will bring together parties from industry, government, and academia to discuss important communications policy issues that may arise before the new Obama administration and Congress.

WELCOME

Dear Speakers & Guests:

I am so glad that all of you have taken the time to come here this morning and help us celebrate the 4th annual Communication Law & Policy Society symposium.

We come together at a special time that offers us the unique ability to postulate on and proffer advice for the new administration's communications policy. Our goal today is to come away with a thoughtful body of communications law and policy suggestions to offer President Obama.

On behalf of the Communications Law & Policy Society, we look forward to hearing the ideas of students, professors and professionals from a broad range of communications areas. We will compile the recommendations collected here today in an official "Memo to President Obama."

Thank you for your continued support and participation.

Sincerely,

Erin C. Lawless
Communications Law & Policy Chair
Syracuse University College of Law
Juris Doctor Candidate, 2010

MESSAGE OF THANKS

We would like to thank all of our participants and sponsors who helped make this event possible.

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SYMPOSIUM ACTIVITIES

The symposium activities will commence with a tour of the Syracuse University College of Law on Friday, February 27, from 4-5 p.m. Following the tour, CLPS will host a speakers' dinner at 7:30 p.m. at the Genesee Grande Hotel.

The symposium takes place on Saturday, February 28 from 8 a.m. until 5 p.m. It will be held at the Genesee Grande Hotel in Syracuse, New York. Breakfast and Lunch will be served. The symposium will culminate with a career-networking event. Those who will be in town and wish to participate are invited to join us for an informal dinner at Dinosaur BBQ, a popular Syracuse restaurant.

SYMPOSIUM AGENDA

Friday, February 27, 2009

3:45pm Speakers' Shuttle Departs The Genesee Grande Hotel
4:00 Tour of the Syracuse University College of Law
6:30 Cocktail hour at Genesee Grande Hotel
7:30 Speakers dinner at the Genesee Grande Hotel
8:30 Keynote address to immediately follow dinner

Saturday, February 28, 2009

The Symposium will be held at the Genesee Grande Hotel

8:00am Registration
8:15 Opening Remarks
8:30 The Battle for Universal Service
9:30 Alarming Disregard: Communications Preparedness in National Emergencies
10:30 Internet Privacy & Behavioral Advertising Panel
11:30 (Break)
12:00 Lunch with Bryan Tramont
1:00 (Break)
1:15 Modern Media, Politics, & Diversity
2:15 Indecent Proposal: Revising Thirty Years of Communications Policy
3:15 Closing Remarks: Jeff Carlisle
3:45 Career Networking Event
4:45 Closing Remarks

7:00 Informal Dinner at Dinosaur BBQ (optional)

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MEET THE COMMUNICATIONS EXPERTS

Master of Ceremonies: Joe Di Scipio, Fletcher, Heald & Hildreth, PLC

Lunch Speaker: Bryan Tramont, Wilkinson Barker Knauer, LLP

Scribe/Closing Remarks: Jeff Carlisle, Telecomm Consultant to the Presidential Transition Team

Universal Service and Wireless

Moderator: Kevin Minsky, Microsoft

Elise Hiller, Cable Television Association of New York

Melissa Newman, Quest

Cynthia Schultz, Patton Boggs

Curt Stamp, Independent Telephone and Telecommunications Alliance

Rick Whitt, Google

Alarming Disregard

Moderator: Patricia Longstaff, Newhouse

Gregory Brunelle, Deputy Director for Preparedness NY State Emergency

Donna Gregg, Catholic University, Columbia School of Law

William Myhill, Burton Blatt Institute, Syracuse University

Sean Sparks, Onondaga County Government Management

Jennifer Warren, Lockheed Martin

Internet Privacy & Behavioral Advertising

Moderator: William Snyder, Syracuse University College of Law

Nick Allard, Patton Boggs

Vin Crosbie, Newhouse

John Messenger, PAETEC

Milton Mueller, iSchool

Modern Media, Politics, & Diversity

Moderator: LaVonda Reed-Huff, Syracuse University College of Law

Karen Bond, National Black Coalition for Media Justice

Danny Hayes, Maxwell School of Citizenship

David Honig, Minority Media Telecommunications Council

Stephanie Larson, Dickinson College

Indecency Issues & Free Speech

Moderator: Barbara Fought, Tully Center

Professor Gutterman, Newhouse

Maureen O'Connell, News Corp.

David Solomon, Wilkinson Barker Knauer, LLP

Robert Peters, Morality in Media, Inc.

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MASTER OF CEREMONIES

Joseph M. Di Scipio

Partner, Fletcher, Heald & Hildreth, PLC

Joseph M. Di Scipio is a member of the firm. His practice areas include mass media, wireless, and common carrier, with a developing specialty in digital/internet regulation. Mr. Di Scipio's mass media practice focuses on providing advice and counsel on FCC compliance in complex transactional matters and credit facility placements and all facets of practicing before the Federal Communications Commission, (FCC). Prior to joining Fletcher, Heald & Hildreth, PLC., Mr. Di Scipio was a partner at Cohn and Marks in Washington, D.C. Prior to that, he worked at the Federal Communications Commission as an agent in the field (where he was awarded the Catherine Forster Public Service Award for outstanding public service) and, after attending law school, as an attorney in the Compliance and Information Bureau and the Common Carrier Bureau.



Mr. Di Scipio is currently Chair of the Federal Communications Bar Association Foundation, having previously served as Treasurer. Prior to chairing the Foundation, he served a three-year term on the Executive Committee of the FCBA. He has also served as Co-Chair of the CLE Committee and as Co-Chair of the FCBA Young Lawyers Committee. Mr. Di Scipio is President of the Syracuse University Law Alumni Association (SULAA), having previously served as second Vice-President of the Executive Committee. He is the recipient of the Syracuse University College of Law 2005 Distinguished Young Alumnus Award.

Mr. Di Scipio holds a law degree, magna cum laude, from the College of Law and a Masters of Public Administration from the Maxwell School of Citizenship both at Syracuse University and a Bachelors of Arts, magna cum laude, from the University of Denver. He is a member of the New York State and District of Columbia Bar.

Mr. Di Scipio and his wife Peggy reside in Falls Church, Virginia with their three children.

LUNCH SPEAKER

Bryan N. Tramont

Managing Partner, Wilkinson Barker Knauer, LLP

Bryan Tramont joined Wilkinson Barker Knauer after serving as Chief of Staff of the Federal Communications Commission under former Chairman Michael Powell. As FCC Chief of Staff, Mr. Tramont directed the agency's staff in implementing FCC policies overseeing all sectors of the communications industry; including wireline, broadcast, wireless and satellite. Before being elevated by Chairman Powell to the Chief of Staff post, Mr. Tramont was the Chairman's Senior Legal Advisor, advising him generally on strategic issues and specifically on wireless, international, technology, and consumer issues. Mr. Tramont also served as Senior Legal Advisor to Commissioner Kathleen Abernathy and, before that, to Commissioner Harold Furchtgott-Roth. Before joining the FCC in 1999, Mr. Tramont practiced communications law at Wiley Rein and Fielding in Washington, DC. He also served as a law clerk for the Honorable Duane Benton on the Supreme Court for his home state of Missouri.



Mr. Tramont is active in the communications bar. He serves as Assistant Treasurer on the Executive Committee of the Federal Communications Bar Association and was awarded the organization's Distinguished Service Award. The Secretary of Commerce recently appointed Mr. Tramont to the Spectrum Management Advisory Committee to the National Telecommunications and Information Administration (NTIA) on which he serves as Co-Chairman. Mr. Tramont also serves on the Governing Committee of the ABA Forum on Communications Law. He is currently an adjunct law professor at The Catholic University of America as a part of the Communications Law Institute, is a senior adjunct fellow at the University of Colorado, Boulder, and serves as the Syracuse University Law School's Practitioner in Residence. Mr. Tramont is the author of numerous articles on communications policy and is a frequent speaker and lecturer at academic and industry events. He is also a member

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of the Federalist Society. Mr. Tramont was recently named by Washingtonian magazine as one of the Top Communications Lawyers in the city for 2007.

Bryan Tramont graduated summa cum laude from The George Washington University with a degree in political science. He earned his law degree from Yale Law School, where he served as editor of the Yale Law & Policy Review.

SCRIBE

Jeffrey J. Carlisle

Consultant on Telecommunications Issues to the Presidential Transition Team

Jeff Carlisle is currently a consultant on telecommunications issues to the Presidential Transition Team. Before this, he was Vice President, International Public Policy and Government Relations for Lenovo, the global computer company. In this role, he headed Lenovo's office in Washington and was responsible for managing Lenovo's positions on foreign investment in the U.S., procurement, national security, privacy, trade, e-waste, and other areas of interest to the IT industry.

Mr. Carlisle came to Lenovo after having spent a number of years as a telecommunications attorney. From 1995 to 2000, he practiced law at O'Melveny & Myers, starting as a transactional attorney and then specializing in broadcast and telecommunications law. In 2000, Mr. Carlisle opened his own practice, negotiating vendor, services and leasing agreements for telecommunications companies and representing a company that developed some of the first residential installations of Voice over Internet Protocol (VoIP) services. In 2001, Mr. Carlisle joined the FCC to serve as Deputy Chief and then Chief of the Wireline Competition Bureau. At the FCC, Mr. Carlisle managed the development of the Commission's policies on broadband and competitive entry into the local exchange market, and was the architect of the Commission's policies on VoIP and bankruptcy of common carriers.

Mr. Carlisle has lectured extensively on telecommunications policy issues, and more recently on trade and national security. He received a B.A. in History, *magna cum laude* and with honors, from UCLA, a J.D. from Boalt Hall at the University of California, Berkeley, and an M.A. in Law and Diplomacy from The Fletcher School. He lives in Bethesda, Maryland with his wife, Dr. Rebecca Carlisle, and their two children, Isabelle and Jonathan.

The Battle for Universal Service



The Battle for Universal Service

Today, there is wide spread disagreement as to the nature of the Universal Service Fund (USF). On November 3, 2008 FCC Chairman Kevin Martin was forced to withhold the scheduled announcement of proposed changes to the USF due an overwhelming number of complaints from lawmakers, rural carriers, state regulators and watchdog groups. According to these complaints, Martin's plan would raise phone rates for millions of consumers and potentially reduce access revenue for some rural providers.

There are four major USF programs. The High Cost Program ensures that consumers in all regions, rural or otherwise, have access to and pay rates for telecommunications services that are reasonable in comparison to those in urban areas. The Low Income Program provides discounts to make basic, local telephone service affordable for more than 7 million-low income consumers. The Rural Healthcare Program provides reduced rates to rural health care providers for telecommunications and Internet services so that they pay no more than their urban counterparts for the same or similar telecommunications services. The Schools & Libraries Program (commonly known as E-rate support) provides affordable telecommunications and Internet access services to connect schools and libraries through the Internet by providing funds to service providers that provide discounts on eligible services to eligible schools, school districts, libraries, and consortia of those entities.

One of the largest areas of concern over Commissioner Martin's proposed changes has to do with providing broadband access to high cost or underserved areas. Complaints allege that these changes would leave rural carriers with insufficient resources to fund broadband service deployment. Some members of Congress support an increase in Universal Service tax to include broadband ISPs and VoIP providers. Others have argued that these subsidies stifle competition that would otherwise drive down costs for consumers, enabling them to afford broadband access without aid provided by the USF.

With these suggestions in mind, the new FCC under the Obama administration will have the opportunity to create an appropriate USF reform that meets public interest concerns.

Moderator:

Kevin Minsky

Senior Attorney, Corporate and Regulatory Affairs Microsoft Corporation

Kevin Minsky serves as Senior Attorney at Microsoft and is lead telecom counsel at the company advising the company's businesses – MSN Division, Entertainment and Devices Division, Microsoft Business Division, Server and Tools Business, and Microsoft Research -- on telecommunications and accessibility compliance issues for its voice, VoIP, video, and Internet-based services; hardware; and software. In addition, Mr. Minsky works extensively with Microsoft's Government Affairs teams in the U.S. (FCC and Congress), European Union (Commission and Member States), Asia, and Latin America on telecommunications legislation and regulatory proceedings helping the company develop its policy positions and activities in these venues.



Prior to Microsoft, Mr. Minsky served as an Assistant General Counsel at the FBI and helped guide the FBI's and Department of Justice's policies and activities on telecommunications and electronic surveillance issues, including the Communications Assistance for Law Enforcement Act (CALEA). This included his drafting of the FBI's successful rulemaking petition before the FCC that applied CALEA to interconnected VoIP and broadband Internet access providers; his work with wireline carriers, mobile operators, and VoIP providers to facilitate CALEA compliance of their next-generation services; and his critical engagement with several telecom standards organizations to facilitate adoption of new CALEA standards for IP-based services.

From 1997-2003, Mr. Minsky was a Senior Associate Attorney at the law firm of Swidler Berlin Shereff Friedman, LLP, where he advised CLECs, IXCs, ISPs, wireless carriers, and VoIP providers on policy, regulatory compliance, adjudicatory, and transactional matters before the FCC, dozens of state PUCs, and telecom regulators throughout the world.

Elise Hiller

General Counsel, Cable Television Association of New York

Elise L. Hiller serves as the General Counsel to the Cable Telecommunications Association of New York, Inc. She has held that position since June 2002. Elise began her career as a Lawyering Professor at Albany Law School from 1989-1999. In that capacity she taught legal research, legal writing, reasoning, negotiations, and appellate advocacy. Elise next spent 2 years as Counsel at the New York State Conference of Mayors (NYCOM), a not-for-profit trade association representing the villages and cities in New York State. As counsel she worked with members in numerous areas such as elections, zoning, planning, land use, cable and telecommunications. She began her private practice in 2001 and represented a number of municipal clients in all manners of practice in addition to her work at the Cable Association. Now she primarily centers her practice on cable and telecommunications issues.

Melissa Newman

Vice President of Regulatory Affairs, Qwest

Melissa Newman is currently Vice President-Regulatory Affairs for Qwest. Ms. Newman is responsible for developing, implementing and coordinating the company's advocacy at the Federal Communications Commission (FCC).

Ms. Newman has served as Deputy Division Chief of the Policy Division in the Common Carrier Bureau of the Federal Communications Commission. She also served as Legal Counsel to the Common Carrier Bureau Chief. Prior to these positions, Ms. Newman was an associate at the law firm of Willkie Farr & Gallagher, where she practiced communications law.

Ms. Newman received her B.A. from the University of Minnesota and her J.D. from the Washington University School of Law in St. Louis, Missouri.

Cynthia B. Schultz

Partner, Patton Boggs

Cynthia Schultz, a partner at Patton Boggs LLP and one of the nation's leading E-Rate experts, has extensive experience in technology and telecommunications business transactions and regulation. She advises clients on USF, telecommunications, and technology regulatory compliance matters as well as USAC and FCC audits and appeals and DOJ investigations. Ms. Schultz also advises clients, including the E-Rate Service Provider Association (ESPA), a national organization of E-Rate Service and manufacturers, on advocacy matters before USAC, the FCC, and Congress. As former Director of Service Provider Support at the Universal Service Administrative Company, Ms. Schultz interacted with and advocated on behalf of 4,000 service providers in the federal E-Rate Program. Before taking on leadership roles at USAC, Ms. Schultz served in senior management in the National Competition and Regulatory Policy Group at WorldCom. There, she managed nationwide advocacy on ILEC performance reporting and special access services before state regulatory commissions and was closely involved in contract negotiation and interconnection agreements. In addition, Ms. Schultz was Associate Counsel for Law and Public Policy at MCI, where she was responsible for handling domestic and international commercial disputes, arbitration, and litigation related to all segments of telecommunications services.



Prior to her work in telecommunication and technology, Ms. Schultz served as a Trial Attorney in the distinguished Attorney General's Honors Program in the U.S. Department of Justice (DOJ), Civil Division - Commercial Litigation Branch, International Trade Group. Her international experience includes post-graduate work in the fields of international law and economics at Beijing University (China), Fudan University (China), Philipps Universität (Germany), and the College of Europe (Belgium). Ms. Schultz received her J.D. from the American University Washington College of Law and her B.A. from George Washington University.

Curt Stamp

President, Independent Telephone and Telecommunications Alliance

Curt Stamp is the President of the Independent Telephone and Telecommunications Alliance (ITTA), which represents mid-size incumbent telecommunications carriers providing service to more than 30 million customers in 45 states. ITTA's primary focus is federal policy advocacy on behalf of its members. Prior to assuming the Presidency at ITTA, he was a Commissioner on the Iowa Utilities Board from September 26, 2005 to September 20, 2007. He was appointed by Governor Tom Vilsack, and reappointed by Governor Chet Culver in March 2007. Stamp served as the co-vice chairman of the NARUC Committee on Telecommunications. He was a member of the Intercarrier Compensation Task Force, the Federal-State Joint Board on Separations and the North American Numbering Council. He served as Treasurer of the Mid-America Regulatory Conference (MARC). Stamp was also elected chair of the Regional Oversight Committee (ROC).



Additionally, he was the vice-chairman of the Advisory Council of the Center for Public Utilities at New Mexico State University. Stamp has years of public policy and utility experience. Most recently, he was an attorney in private practice working with various telecommunications and utility clients at two Des Moines law firms. He served as a legal intern in the Office of Federal Communications Commission Commissioner Kathleen Abernathy. He was manager of policy and law for Qwest Corporation from 1997 to 2001, served as legislative liaison for the Iowa Utilities Board from 1995 to 1997, and worked as a legislative analyst on the Iowa Senate Republican Staff from 1989 to 1995. Stamp is a member of the Federal Communications Bar Association and Iowa State Bar Association. Stamp has a bachelor's degree in political science and a master's degree in business administration from Iowa State University and a J.D. degree from Drake University Law School.

Richard S. Whitt

Google

Richard S. Whitt is the Washington Telecom and Media Counsel for Google Inc. In that capacity, Rick is responsible for Google's wireline, wireless, and media advocacy before the Federal Communications Commission, other federal agencies, and the U.S. Congress. Most recently he has represented the company's interest in broadband policy issues (such as network neutrality), spectrum policy matters (such as the 700 MHz auction and TV white spaces proceedings), and the "unregulation" of VoIP and other Web-based applications.

Prior to joining Google in January 2007, Rick founded and headed NetsEdge Consulting, a public policy consulting firm that provided legal analysis, regulatory strategy, and advocacy counsel to Web-based companies. From 1994 to 2006, Rick worked at MCI Communications, where most recently he served as vice president for federal law and policy. Rick previously spent over five years as an associate attorney in the communications practices of two D.C.-based law firms. Rick is a 1988 cum laude graduate of the Georgetown University Law Center, and a 1984 magna cum laude graduate of James Madison University.



Alarming Disregard: Communication Preparedness in National Emergencies



Alarming Disregard: Communication Preparedness in National Emergencies

During emergencies - local, state, and national - the importance of our country's communications systems, including telecommunications, broadcast, cable, and satellite systems, becomes clear. We use our phones to call 911 or reach our family members to make sure they are safe. We turn on our televisions and radios to get information updates. While there is no doubt that our country has one of the world's most extensive and dependable communications systems, unusual conditions seriously strain it. There are three main components to emergency communications: 1) 911 telephone call processing and delivery through Public Safety Answering Points (PSAP) and call dispatch; 2) The Emergency Alert System; and 3) Radio and/or broadcast or cable television station news and updates. All of these components must operate effectively in order to achieve a successful response to an emergency.

In the past, there has been difficulty in reaching out to minority populations including, people with disabilities, non-English speakers, the elderly, and low-income earners. Potentially life-saving emergency warnings and instructions that most Americans receive are not adequately provided to certain minorities. Whether it is the failure of local communication infrastructure, the absence of an effective early warning system for a community, or reliance on speculative AM radio news reports, national emergencies often put these select demographics at a severe disadvantage. This panel will trace historical problems associated with the breakdown of communications during times of national emergency and proffer suggestions to reach these populations in the future.

The FCC has separate requirements to meet the needs of persons with disabilities in cases of local emergencies. The FCC requires that any information intended to further the protection of life, health, or property, such as school closings, evacuation orders, and the location of emergency routes and relief assistance, be accessible to persons with disabilities. These rules apply to all local broadcasters, cable operators, and satellite television service providers. Critical details about the emergency must be provided in a visual format, such as open captions, scrolls, or even hand-lettered signs. The critical details must also be provided in an aural format. If crawls or scrolls are provided during regular programming, an aural tone is required to indicate to persons who are blind or who have low vision that emergency information is being provided.

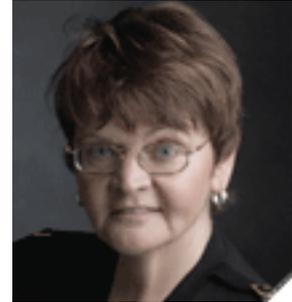
While new telecommunications technologies can be important tools for public safety, they sometimes create special challenges for public safety personnel. For example, the mobility of wireless telephone service makes determining a wireless user's location more complicated than is true for traditional wireline services, which are associated with a fixed location or address. The FCC has adopted rules requiring wireless telephone carrier, Voice over Internet Protocol (VoIP) services, and TTY telephone vendors to provide Enhanced 911. The tragedies of September 11 and Hurricane Katrina have showcased the need for great improvements in emergency communications specifically regarding accessibility and interoperability. With these examples in mind, the Obama administration faces a great challenge in facilitating federal agencies to improve our existing system.

Moderator

Patricia Longstaff

Newhouse, Television Radio Film

Prof. Longstaff is an educator and analyst specializing in the business and public policy issues affecting the communications industry in the US and internationally. Her teaching assignments at Newhouse include classes on current trends in the communications industry, global communication issues and communications law/policy. She is also a Research Associate at Harvard University's Center for Information Policy Research where she works on issues of global communications policy. Her most recent work there involves the role of communications in the resilience of local populations who suffer a "surprise" such as a terrorist attack or natural disaster. She is also a member of the US State Department Advisory Committee on International Communications Policy, and a member of the Board of Directors of the International Telecommunications Society.



In addition to a law degree and a master's degree in mass communication from the University of Iowa, she received a Master of Public Administration degree from Harvard in 1994. She practiced communication and corporate law for 18 years, representing newspapers, broadcasters, advertising agencies, and telephone companies. Her most recent book, *The Communications Toolkit: How to Build or Regulate Any Communications Business*, was published by MIT Press in 2002.

Gregory Brunelle

Department Director for Preparedness New York State Emergency

Greg Brunelle is Deputy Director-Preparedness for the New York State Emergency Management Office. In that capacity he is responsible for the Planning, Training & Exercise and GIS divisions of the organization and coordinates the Command Element of the state's Radiological Emergency Preparedness Program. He is also the Executive lead for the NY-ALERT emergency notification program.

Prior to joining NYSEMO, Mr. Brunelle spent seven years with the Jefferson County (NY) Office of Fire & Emergency Management serving as the Deputy Director and Director, overseeing the county's 911 Dispatch Center, Fire Coordination and Training Office, and Emergency Management functions. He had previously worked as a social worker and then Director of Patient and Family Services for Samaritan Health Systems in Watertown, New York overseeing the patient discharge planning and crisis mental health services. Following the devastating Ice Storm of 1998 that struck most of the North Country, Mr. Brunelle assumed responsibility for emergency preparedness planning for the health system as well.

Mr. Brunelle served as a volunteer firefighter and EMT for 12 years and is a former board member of the American Red Cross of Northern New York.

Mr. Brunelle received a Bachelor's degree in History and Sociology from SUNY Fredonia. He holds a Masters of Arts in Organizational Psychology from Capella University and is currently pursuing a Masters Degree in Homeland Defense and Security at the Naval Postgraduate School.

Mr. Brunelle, his wife and their son live in Rensselaer County, New York.

Donna Coleman Gregg

**Catholic University, Columbus School of Law,
Communications Scholar-in-Residence / Visiting Assistant Professor**

Donna Coleman Gregg is a Visiting Professor at the Columbus School of Law of The Catholic University of America in Washington, D.C., where she is affiliated with the Institute for Communications Law Studies. Prior to joining the CUA law faculty, she served in the White House Office of Science and Technology Policy as Senior Policy Advisor to Richard M. Russell, United States Ambassador to the 2007 World Radiocommunication Conference.

Gregg, a former FCC Media Bureau Chief, also served as vice president of legal and regulatory affairs and general counsel of the Corporation for Public Broadcasting. Her private practice experience includes more than 10 years as a partner in the communications law practice of the Washington, D.C. law firm of Wiley Rein & Fielding, where she provided regulatory and business advice to U.S. and international media and telecomm corporations. Gregg has been a Senior Lecturing Fellow in Telecommunications Law and Policy at Duke University School of Law. She also is a recipient of the Touchstones in Leadership Award for Public Service awarded by Women in Cable Communications.

Professor Gregg earned her J.D. from Duke University School of Law and her B.A. from the University of Michigan, with high distinction and election to Phi Beta Kappa.



William N. Myhill, M.Ed., J.D.

**Senior Research Associate, Burton Blatt Institute: Centers of Innovation on Disability
Adjunct Professor of Law, SU College of Law
Faculty Associate, Center for Digital Literacy SU iSchool**

Mr. Myhill is a Senior Research Associate with the Burton Blatt Institute (BBI), where he oversees disability law and policy research initiatives. Currently he is Project Director for the five-year, \$2.5 million “Demand-side Employment Placement Models” grant from the National Institute for Disability & Rehabilitation Research. He directs the legal analysis of the latest ADA cases for the Southeast Disability and Business Technical Assistance Center, and is Executive Editor of the *Disability Law & Policy e-Newsletter*. With over 20 years of professional experience in law and education, Mr. Myhill has collaborated with and provided services for diverse individuals with disabilities and cultural/linguistic differences through extensive research, teaching, and advocacy in the United States and abroad.

Mr. Myhill’s research interests include legal and policy developments affecting children with disabilities, youth-to-work transition, invisible disabilities, reasonable accommodations, essential job functions, assistive technology, universal design principles, and accessible electronic & information technology. His work is published in law reviews, peer reviewed journals, and books. As a Faculty Associate with the Center for Digital Literacy he collaborates on many of these and related issues. Formerly, Mr. Myhill served as a U.S. Peace Corps Volunteer in Papua New Guinea, was Managing Editor for the *Iowa Law Review*, and for twelve years was as a special education teacher working with children having diverse special needs.



Sean M. Sparks

Onondaga County Department of Emergency Communications

Sean Sparks has been with the Department of Emergency Communications (911) since August 1996. He began his career with Onondaga County serving as a Public Safety Telecommunicator. He was promoted to Public Safety Dispatcher in 1998, and again in 2000 to Supervisor of Dispatch Operations. He currently serves as the Departments Network Communications Infrastructure Administrator (NCIA). During his tenure with Onondaga County 911, Sean helped the Center through a number of successful upgrade projects. The Center, in 2002 completely upgraded its telephony equipment as well as the front-end of the original Computer Aided Dispatch (CAD) system. The upgrade enabled the Center to place GIS and mapping in front of every call taker and dispatcher in the Center. The upgrade allowed the Center to embark on the receipt and processing of Wireless Phase I and II calls. The Center has been receiving phase II calls from seven wireless providers for over five years. In 2003 the Center completely changed out its radio console system as well as fully upgrading all workstations to ergonomically supportive positions. In 2005 the Center designed, constructed and implemented a fully redundant remote backup dispatch facility. In June of 2007 the Center completed a \$9,800,000 upgrade/replacement to the original CAD and Mobile Data Computer Network (MDCN). The project also included a new Records Management System to serve all fire and EMS agencies within the county.



As NCIA, Sean's principal assignment is the Onondaga County Interoperable Communications System (OCICS) project. This project rolled out in two phases, with phase I being the 4.5 million dollar project to upgrade the County Microwave loop to a digital state of the art system with an OC3 capacity. This phase was completed under budget and on time in 2007, and replaced an analog system, which had been serving the county for over 30 years with only minor enhancements during its service life. Phase II of the project is the complete replacement of the first responder radio system with a digital trunked radio system which will provide all first responders true interoperability while operating at emergency scenes. The new system provided by Motorola and certified APCO P25 compliant, has a price tag of over 34 million dollars and is expected to be complete in mid 2009. The OCICS project is the largest public safety initiative ever undertaken by Onondaga County and additional project information can be found on the Onondaga County website at www.ongov.net.

Sean has demonstrated his desire to provide customer service and support for both the public as well as the user agencies the Onondaga County 911 Center serves. Sean has been awarded various departmental commendations and received National recognition in the fall of 2008 when he was presented the NICE National Technician of the Year award for 2008. This award, sponsored by NICE Systems recognizes individuals in 9-1-1 PSAPs (Public Safety Answering Points) for their outstanding contributions to the field of public safety communications.

Community service has always been an important part of Sean's life. In addition to his work with Onondaga County, Sean is a Captain and Emergency Medical Technician in the Taunton Volunteer Fire Department and also serves as a New York State approved and County appointed Fire Instructor.

Jennifer A. Warren

Lockheed Martin

Ms. Warren is senior director of regulatory affairs for Lockheed Martin Global Telecommunications, a wholly owned subsidiary of Lockheed Martin created to concentrate and extend the Corporation's role in global telecommunications services.

In this post, Ms. Warren is responsible for providing direction on domestic and international policy and regulatory issues.

Ms. Warren joined Lockheed Martin in 1996 as director of telecommunications policy & regulatory affairs for the Corporation's Space & Strategic Missiles Sector. Prior to that, Ms. Warren had spent five years at the Federal Communications Commission in numerous management positions, including serving as assistant chief of the wireless telecommunications bureau, with responsibility for coordination with the Commissioners' offices, legal and policy review of commercial wireless, and liaison to the international bureau for satellite/wireless spectrum coordination and foreign ownership issues.

Additionally, Ms. Warren served as senior legal advisor to the chief of the international bureau at the FCC.

Communications Law & Policy Society

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In this capacity, she had oversight responsibility for telecommunications policy issues, including global alliances, foreign ownership and licensing issues, and accounting rates. In addition, Ms. Warren served on the U.S. delegation to the 1995 World Radio Conference in Geneva, Switzerland. During her tenure at the FCC, she also served as special advisor to the chief of the telecommunications division in the international bureau and as an attorney/advisor in the common carrier bureau.

Prior to joining the FCC in 1991, Ms. Warren worked at the Commission of the European Communities (E.C.) in the directorate-general for competition, with particular focus on relations with the United States and Japan. Prior to being posted in Brussels, she had worked at the E.C. Delegation in Washington, D.C. as a trade assistant to the first secretary of trade.

A graduate of Georgetown University (B.S. in languages) and the Georgetown University Law Center (J.D.), Ms. Warren is a member of the Illinois State and Washington, D.C. Bars. She is also an active member of the Federal Communications Bar Association and co-chair of the Communications Law Forum of the Women's Bar Association of D.C.

Who's Looking Over Your Shoulder on the Web? Internet Privacy and Behavioral Advertising



Who's Looking Over Your Shoulder on the Web? Internet Privacy and Behavioral Advertising

Individuals and businesses rely more and more on the Internet for commerce, entertainment, and political expression. Today, technical innovation allows Internet Service Providers (ISPs) to capture trends of individuals' Internet use and provide real-time strategic information on demographics to potential advertisers. "Behavioral Targeted Advertising" employs Deep Packet Inspection (DPI) or "Packet Sniffing", to inspect data directed through the ISP servers as it travels to its requested destination. ISPs see the potential here for a new revenue stream by leveraging the highly refined user preference data. However, tracking an individual's Internet activity raises concerns regarding expectations of privacy in regards to who is collecting the data and with whom it is shared. ISPs are concerned that an overbroad regulation on Behavioral Targeted Advertising could adversely impact their ability to effectively manage and troubleshoot the network. Speakers will discuss the issues touching on privacy expectations, data collection, and their perspectives on current and future regulations on this topic.

With user information in aggregate, a customer profile can be created and categorized to improve advertising relevance. The model is not unlike the one Google, Yahoo and Microsoft utilize, but for the fact that these companies operate largely within their own closed network. Take for example Google, if you don't visit Google related sites or product pages, (GMail, GCal, Google News, or sign into a Google account) your user information will not be tracked. DPI aided advertising operates at a broader level, potentially tracking users across all websites regardless of network. The model offered to ISPs is one where the ISP would sell this user data to a third-party which would then cross reference internet activity with partner advertisers that would meet that user's assumed preference. For example, someone that has been surfing all around the web for dog breeds, and information would be served up pet related advertisements on the sites they visit.

However, technology as applied today does not comport with consumer privacy expectations. This system must operate under an Opt-In regime. However, there would be few informed users willing to Opt-In the web tracking service, as designed today, possibly because of a lack of a "killer app". Simply serving up "more relevant ads" may not be enough to garner support from the customer base. Therefore, an Opt-In service destroys the whole function. As such, there is incentive to bury terms of the tracking's presence, or the method and nature of the collection. DPI however would be more comparable to having run around doing errands all weekend a man with a flyer accosts you in the middle of a parking lot and shouts that he saw you in F.Y.E. and that you should come into Best Buy for some related item. Such an encounter is uncomfortable and does not respect our individual zones of privacy.

Several recent congressional hearings have been on this subject. The administration, congress, and the FCC should facilitate a dialog or plan to harmonize the privacy concerns of consumers with the overregulation concerns of ISPs.

Moderator

William C. Snyder

Visiting Assistant Professor of Law, Syracuse University College of Law

William C. Snyder is a Visiting Assistant Professor of law during the 2007-2008 and 2008-2009 school years. He will teach Federal Criminal Law, Computer Crimes, Counter-Terrorism and the Law, Prosecuting Terrorist in Article III Courts, and Evidence. In addition, he will assist at the Institute for National Security and Counterterrorism, a joint venture of Syracuse University's College of Law and its Maxwell School of Citizenship and Public Affairs.

Professor Snyder was the 2004-2005 Fellow in Government Law and Policy at the Albany Law School's Government Law Center. A career federal prosecutor prior to joining the Government Law Center, Mr. Snyder served over 13 years as an Assistant United States Attorney (AUSA) in the Western District of Pennsylvania and the District of Columbia. Prior to receiving his law degree, Mr. Snyder served as an Assistant to the Attorney General of the United States and was Deputy Administrative Assistant to Pennsylvania Governor Dick Thornburgh.

As an AUSA, Mr. Snyder initiated prosecution of the largest felony case in the history of the Western District of Pennsylvania while assigned as legal counsel to the Greater Pittsburgh Violent Crimes/ Gang Task Force. In addition, he participated in intelligence investigations and drafted emergency plans while assigned to that district's Joint Terrorism Task Force and the Anti-Terrorism Advisory Council. He served as the district's Crisis Response Manager.

Mr. Snyder received his Bachelor of Arts degree cum laude in political science with a concentration in international relations from Yale College of Yale University. He received his Juris Doctor degree magna cum laude from Cornell Law School where he served on the Cornell Law Review and was elected to the Order of the Coif.

Mr. Snyder teaches National Security Law, Current Legal Issues in Government and Fact Investigation as an Adjunct Professor at Albany Law School. He has also lectured on the Racketeer Influenced and Corrupt Organizations (RICO) Act following his service on the Greater Pittsburgh Violent Crime and Gang Task Force that resulted in a ground-breaking racketeering prosecution.

Mr. Snyder is a member of the Bar of the Supreme Court of the United States, the Supreme Court of Pennsylvania, the United States Court of Appeals for the District of Columbia Circuit, and of the United States District Court for the Western District of Pennsylvania.



Nicholas W. Allard

Partner, Patton Boggs

Nick Allard is Co-Chair of the firm's Public Policy Department. He draws on his understanding of legislative, regulatory, and administrative matters to counsel clients in the fields of health, telecommunications, information technology, energy, and environmental law. His clients include domestic and international companies ranging from start-ups to those of the Fortune 500.

In addition to his experience in private practice, Mr. Allard has significant political and legislative experience. He served as Administrative Assistant and Chief of Staff to the late Senator Daniel Patrick Moynihan from 1986 to 1987, and from 1984 to 1986, he was Minority Staff Counsel to the Senate Committee on the Judiciary, where he served as legal counsel to Senator Edward Kennedy.

Mr. Allard has particular knowledge on rules relating to the promotion and marketing of products regulated by FDA, including prescription drugs. He also works with health clients on matters related to privacy, particularly patient privacy under HIPAA.

Mr. Allard is a prolific author on telecommunications, health, and legislative issues. He contributes to and is on the advisory board of several legal publications, including the Hastings Communication and Entertainment Law Journal and the Shidler Center's e-journal at the University of Washington School of Law. Mr. Allard also speaks frequently at business programs in the United States and abroad. He has been a guest lecturer on health, telecommunications, and other legal issues on campuses throughout the United States. He has received numerous



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awards for his work in the communications industry, including the Wireless Attorney of the Year Award in 1995. In 1997, he was recognized by the National Law Journal as one of the top 40 health lawyers in the country.

Mr. Allard taught for several years as an adjunct professor at both George Mason University Law School and the Georgetown University McDonough School of Business where he taught "Privacy and Computer Law" among other courses. He chaired the Hastings School of Law Symposium "Privacy On-Line" and his many publications include "Privacy On-Line", *20 Hastings COMMENT L.J.* 511 (1998). Recently he delivered a paper to the faculty of the University of Minnesota as part of its "Works in Progress" program: "America's Ambiguity about Anonymity." Mr. Allard is a graduate of Princeton and Oxford Universities, and was a Rhodes Scholar. After receiving his law degree from Yale University, he served as law clerk for Chief United States District Judge Robert F. Peckham in San Francisco and for United States Circuit Judge Patricia M. Wald in Washington, D.C.

Vin Crosbie

Newhouse, Adjunct Prof.

Visual Interactive Communications, Senior Consultant on Executive Education for New Media

During the Fall and Spring semesters, Vin Crosbie teaches New Media Business, and during the Spring semester he teaches a Content Lab about Using New Media to Circumvent Censorship. He also is Newhouse's senior consultant on executive education in New Media. Prior to joining the Newhouse School in 2008, he spent a dozen years consulting full-time to news media about changes they need to make in order to survive and profit during the 21st Century.

Folio, the trade journal of the magazine industry, called him "the Practical Futurist." Editor & Publisher magazine, the trade journal of the American newspaper industry, devoted the Overview chapter of executive research report Digital Delivery of News: A How-to Guide for Publishers to his work. His speech to the Broadcast Education Association meeting at the National Association of Broadcasters annual conference a few years ago was one of 24 orations (including speeches by President George W. Bush, Secretary of State Condoleezza Rice, and Senators Hilary Clinton and Barack Obama) selected by a team of speech professors for publication in the reference book Representative American Speeches 2004-2005.



Crosbie founded the consulting firm of Digital Deliverance LLC in Greenwich, Connecticut, during 1996. He formerly was the director of online partnership at News Corp.'s Internet subsidiary, Delphi Internet Services Corporation – the world's first Internet Service Provider for consumers. Before working in the New Media, Crosbie was an executive with Reuters and United Press International, and a newspaper publisher, editor, and reporter. He is the fifth generation of his family to publish daily newspapers.

He regularly speaks at media conference worldwide, including those of the National Association of Broadcasters, American Society of Newspaper Editors, Magazine Publishers Association, Newspaper Society of the UK, Asociación de Editores de Diarios Españoles (Spain), Society for Scholarly Publishing, and the Associated Press Managing Editors association. Crosbie recently keynoted the EPublishing Innovations Forum in London and the the Second Annual Global Conference on Individuated Newspapers in Denver, and was a facilitator at the Knight Digital Media Center's Leadership 2008 seminar in Los Angeles. Crosbie also has keynoted the Seybold Publishing Strategies and the NetMedia Europe conferences; co-chaired and co-moderated of the annual Beyond the Printed Word the digital publishing conference organized by Ifra, the world's largest organization of newspapers; and he was co-chairman of the publishing program at the Comdex conferences in Las Vegas during the 1990s.

Crosbie has been the New Media columnist for the International Newspaper Marketing Association's Ideas magazine, a contributing editor of the American Press Institute's NewsFuture newsletter, and founding contributor to the Poynter Institute's E-Media Tidbits group weblog. He currently writes a biweekly column about paid online media for the ClickZ marketing website, and posts essays at Corante's Rebuilding Media group weblog and his own company's website. He authored the business model chapters of Internet World's Guide to Webcasting. He was the sole North American juror for the annual Interactive Publishing Europe awards and has been a juror through all 14 years of Editor & Publisher magazines EPPy awards for interactive publishing.

An experienced mountaineer with ascents in the Alps, North America, and Latin America, Crosbie holds a commercial guide certification from the U.S. National Forest Service and taught above-treeline travel and Nordic skiing for the Appalachian Mountain Club's headquarters chapter in Boston. He lives in Syracuse.

John Messenger
PAETEC

John B. Messenger is Vice President and Associate General Counsel for PAETEC, a nationwide provider of competitive voice, data, and Internet services primarily to business customers, headquartered in Rochester, NY. His responsibilities include advising on intercarrier compensation strategies and disputes and managing the company's litigation. He serves on the board of the Central & Western New York chapter of the Association of Corporate Counsel, and is co-chair of the New York chapter of the Federal Communications Bar Association. Prior to joining PAETEC in 1999, John had a long and varied career as in-house counsel with New York Telephone, NYNEX, and Bell Atlantic. John is a graduate of Amherst College and Pace University School of Law.



Dr. Milton L. Mueller
School of Information Studies, Prof.
Director, Convergence Center, Syracuse University

Milton Mueller is Professor at Syracuse University School of Information Studies, USA, and also XS4All Professor at the Delft University of Technology, the Netherlands, an endowed Chair devoted to "the security and privacy of Internet users." Mueller received the Ph.D. from the University of Pennsylvania in 1989. He was one of the founders of the Internet Governance Project, an alliance of scholars in action around global Internet policy issues. Dr. Mueller's research focuses on property rights, institutions and global governance in communication and information industries. His book *Ruling the Root: Internet Governance and the Taming of Cyberspace*



(MIT Press, 2002) was the first book-length analysis of the political and economic forces leading to the creation of ICANN. He is currently working on a book about Internet governance in the post-World Summit on the Information Society environment: *Networks and States: The Global Politics of Internet Governance*. He is doing research on the policy implications of Deep Packet Inspection technology and the security governance practices of ISPs.

Mueller has played a leading role in organizing and mobilizing civil society in ICANN. He was a founder of the Noncommercial Users Constituency and has served as its chair for several years. He was elected to ICANN's GNSO Council and has worked on various task forces related to new TLDs, Whois/privacy, and the .org reassignment. Mueller is on the Advisory Council of Public Interest Registry (.org) and the Policy Advisory Board of .mobi.

Modern Media, Politics & Diversity



Modern Media, Politics & Diversity

The 2008 campaign was historic in that it included the first African American presidential nominee and the second only female vice presidential candidate. This panel will examine the role of the media and media regulations on the American electoral process and the impact it has on minorities, specifically, African Americans and women. The panel will explore issues related to how political campaign treat race and gender. Discussion will focus on how the media portrays minority political candidates and whether or not such portrayals are fair and accurate. Panelists will speak to the impact of media regulation on minority groups and the impact of new media.

The presence of Barack Obama, Hilliary Clinton, and Sarah Palin in the 2008 presidential elections led media outlets to discuss the impact of the race and gender of the candidates on the American voters. Some speculated the election outcome would somehow gauge the American public's levels of racism and/or sexism. Prior to the election, others warned that although Obama was significantly ahead in the polls, the Bradley effect was likely to take place. The Bradley effect is a theory proposed to explain observed discrepancies between voter opinion polls and election outcomes in some US government elections where a white candidate and a non-white candidate run against each other. Instead of ascribing the results to flawed methodology on the part of the pollster, the theory proposes that some voters tend to tell pollsters that they are undecided or likely to vote for a black candidate, and yet, on election day, vote for his white opponent. It was named after Tom Bradley, an African-American who lost the 1982 California governor's race despite being ahead in voter polls going into the elections.

Past political commentary has featured similar sexist and racist undertones. Jennifer Pozner, executive director of Women in Media and News, pointed out that in 1984 Tom Brokaw introduced Geraldine Ferraro, selected as the running mate of Presidential candidate Walter Mondale, as a "size six." A myriad of other examples exist in society today from comments on Clinton's pant suits and the proliferation of the trend of addressing Clinton by her first name while the male candidates are called by their surnames, to Palin's head-shot appearing on bikini models and the proverbial "race card."

Questions for the panel's consideration:

- Are the quality and the quantity of media attention equal for minority candidates?
- Are broadcasters still providing the primary means for informing the public, or has cable, internet, and new media reshaped how Americans access their political information?
- How did new media play a role in this election?
- Arguably minority candidates are likely to be more prevalent in future presidential elections. Should media outlets adopt new policies to address this new diversity, and if so what kind of policies should be implemented?

Moderator

LaVonda N. Reed-Huff

Associate Professor of Law, Syracuse University College of Law

Before joining the Syracuse University faculty, Professor Reed-Huff was a member of the faculty of the Brandeis School of Law at the University of Louisville, where she taught for five years. While at the University of Louisville, she taught courses in communications law, property, and decedents' estates and trusts. She previously was a judicial clerk for the Honorable Donald W. VanArtsdalen of the U.S. District Court for the Eastern District of Pennsylvania and was an attorney in private practice with the international law firm of Paul, Hastings, Janofsky & Walker LLP in the firm's Washington, D.C., and Atlanta offices. While in practice, she represented businesses and financial institutions in various aspects of communications and corporate law. Professor Reed-Huff's scholarly interests include the intersection of communications law and policy and property law. She has published articles and spoken on topics such as the placement of satellite dishes, the economics of broadcast ownership, minority ownership of broadcast stations, and broadcast diversity. Professor Reed-Huff is admitted to practice in Maryland and the District of Columbia. She is a member of the Federal Communications Bar Association and the American Bar Association. She serves on the executive committee of the Section on Mass Communication Law of the Association of American Law Schools, as well as on a number of other committees.



Karen Bond

Nation Black Coalition for Media Justice

Karen J. Bond, a media justice advocate and management consultant, is Executive Director of the "National Black Coalition for Media Justice". Originally from North Carolina, she attended Northwestern University and now lives in Evanston, Illinois. She has had a marketing career in middle and upper management with several multinational corporations, including IBM and Xerox, where she won numerous awards of merit. She is now a business management consultant, with a concentration in the fields of media and anti-racism. She has had extensive formal training on the topic of institutional racism, and consults with major institutions on designing structures to better serve the needs of their culturally diverse workforce and client populations. Having received grants from such organizations as the Ford Foundation's Media Justice Fund, she works as a speaker, trainer and organizer to help the poor and working class public gain a sense of its own power regarding issues such as government accountability, media ownership consolidation, and the role of public broadcasting. As a panelist at the Federal Communications Commission's hearing on media ownership consolidation, she testified with regard to the impact of FCC policies on the Black community. She was recently awarded the prestigious Media Justice Fellowship from the Rockwood Leadership Institute. She can be contacted at <karenbond@nbcmj.org> .



PLEASE SEE MS. BOND'S ARTICLES, " COMMENTS ON THE EFFECTS OF MEDIA OWNERSHIP CONSOLIDATION ON URBAN BLACK COMMUNITIES," and, "MEDIA JUSTICE SOLUTIONS PROPOSED BY THE NATIONAL BLACK COALITION FOR MEDIA JUSTICE," WHICH ARE REPRINTED IN THIS BOOKLET WITH PERMISSION FROM THE NATIONAL BLACK COALITION FOR MEDIA JUSTICE.

Danny Hayes

Assistant Professor of Political Science, Maxwell School of Citizenship

Danny Hayes is an assistant professor of political science and a senior research associate in the Campbell Public Affairs Institute in the Maxwell School of Citizenship and Public Affairs at Syracuse University. He received his Ph.D. in Government from the University of Texas at Austin in 2006, and also holds a bachelor's degree in Journalism from the University of Texas. His research explores the nature and effects of political communication in American politics, focusing on the connections between what the media and politicians say and do and the political attitudes and behavior of citizens. A former newspaper reporter, Hayes' recent work examines the factors that influence media coverage during American presidential campaigns and its subsequent effects on public opinion. He is also working on projects related to media coverage of public policy debates, including the Iraq War; the role of assessments of candidate personality in shaping voting behavior; the effects of congressional redistricting on political participation; and voter information-processing and decision-making. His research has been supported by the National Science Foundation and has appeared or is forthcoming in the American Journal of Political Science, Political Research Quarterly, Political Behavior, Political Communication, Presidential Studies Quarterly, and American Politics Research, among others.



David Honig

Director, Minority Media and Telecommunications Council

David Honig co-founded the Minority Media and Telecommunications Council (MMTC) in 1986. MMTC currently represents 62 minority, civil rights and religious national organizations in selected proceedings before the FCC, and it operates the nation's only full service, minority owned media and telecom brokerage. Mr. Honig serves MMTC as Executive Director.

Mr. Honig has practiced communications and civil rights law since 1983, specializing in electronic redlining and race discrimination cases. He has taught and written extensively about issues in the intersection between civil rights and international and domestic communications. Among his publications are law review articles on group defamation and on minority broadcast station ownership.

Mr. Honig serves on the National Urban League's Technology Advisory Council, as General Counsel of the Queen Anne's County, Maryland Branch of the NAACP, and served from 2003-2008 as a member of the FCC's Advisory Committee on Diversity for Communications in the Digital Age. In September 2001, he completed a term as co-chair of the National Bar Association's Elections and Voting Rights Task Force.

The National Law Journal has named Mr. Honig one of the thirty most influential communications lawyers. He has been awarded the National Bar Association's Presidential Award and the National Association of Minorities in Communications' Mickey Leland Humanitarian Achievement Award, and the National Association of Minority Media Executives' Lifetime Achievement Award.

Mr. Honig holds a B.A. in Mathematics from Oberlin College, an M.S. in Systems Analysis from the University of Rochester, and a law degree cum laude from Georgetown University.



Stephanie G. Larson
Professor of Political Science, Dickinson College

Stephanie Greco Larson is a full professor in the Department of Political Science at Dickinson College in Carlisle, Pennsylvania. She joined the faculty there in 1992 after teaching at The George Washington University and The Florida State University (from which she received her PhD in 1987). While at Dickinson, she has served as chair of the Political Science Department (Fall 2004-Summer 2006), Coordinator of the Women's Studies program (Fall 1996-Summer 1997; Fall 1999-Summer 2000) and Director of the Dickinson Humanities Program in England (teaching in London and University of East Anglia, Norwich, Summer 2006 to Spring 2007). In the Fall of 2003 she was a visiting scholar at The University of Queensland's School of Journalism and Communication (in Brisbane, Australia).



Professor Larson's primary area of expertise is the media and politics (both broadly defined). She initially focused on media coverage of Congress and its impact on public opinion (in her first book *Creating Consent of the Governed: A Member of Congress and the Local Media* and in articles in the *American Journal of Political Science* and *The Annals*, and a chapter in *Running on Empty? Political Discourse in Congressional Elections*, edited by L. Sandy Maisel and Darrell M. West).

Stephanie Greco Larson is probably best known by political communication scholars for her work on how the public and public opinion are represented in presidential election news (articles on this topic appear in *The Harvard International Journal of Press/Politics*, *Political Communication*, *Journal of Broadcasting and Electronic Media*, three edited books, and recently reprinted in a volume of *SAGE Benchmarks in Communications Studies' Political Communication* series). Her work on gender, media, and politics followed. Starting with articles on women in soap operas (*Communication Quarterly* and the *Journal of Popular Film & Television*), campaign brochures of female candidates (*Women & Politics* and *Commonwealth*), television news coverage of women in the House of Representatives (*Congress & the Presidency*), and "American Women and Politics in the Media: A Review Essay," in *PS: Political Science & Politics* (to be reprinted soon in *American Political Diversity* by David A. Dulio, Erin O'Brien and John S. Klemanski).

Throughout her career, Professor Larson has been interested in questions of race and media as evidenced by her first journal publication ("How the *New York Times* Covered Discrimination Cases," *Journalism Quarterly*, Winter 1985) and her most recent book (*Media & Minorities: The Politics of Race in News and Entertainment*, Rowman and Littlefield, 2006). Additional work includes analyses of race and a variety of media: soap operas ("Black Women on *All My Children*," *Journal of Popular Film & Television*), television news ("ABC's 'Person of the Week': American Values in Television News," *Journalism & Mass Communications Quarterly*), and newspapers ("Asylum-seekers as seen through Letters to the Editor in Australia and the U.S.," *Australian Studies in Journalism*; "Dying to be American: How the *New York Times* Portrayed Immigrant Victims of 9/11," *Clarke Center Occasional Paper*).

In addition to publishing on media and politics, Professor Larson has taught a variety of courses on the topic. These include: *Mass Media and American Politics*, *Political Outsiders and the Media*; *Social Movements and the Media*; *Race, Media, and Politics*; *Presidential Elections and the Media*; and *TV News: The Politics of Visibility* (at George Washington University). She has also published articles in *The George Washington University Magazine*, *PS: Political Science and Politics*, and various College Board publications providing advice for on how teachers can use role playing to diversity their *Introduction to American Government* courses. Her innovations and dedication to teaching students how to critically think about the media earned her Dickinson's "Distinguished Teaching Award" in 2007 (an honor given to one professor a year by the college president and faculty).

Indecent Proposal: Revising Thirty Years of Communications Policy



Indecent Proposal: Revising Thirty Years of Communications Policy

This panel will examine the events leading to the FCC's decision to abandon its policy of exempting "fleeting expletives" from FCC sanctions. In the last two years, court decisions have significantly changed the regulatory landscape surrounding indecency in broadcast media. The panel will discuss the subsequent decision in *Fox Television Stations, Inc. v. FCC*, where the Second Circuit Court of Appeals rejected Agency rationale for the reversal in policy. Also, the panel will touch on the future implications resulting from the Third Circuit's rejection of the Commission's attempt to distinguish between indecent language and indecent images (*CBS Corp. v. FCC*). Speakers will share their thoughts regarding the implication of these recent events in broadcast media concerning free speech, the First Amendment, and the cost to individual broadcasters.

Those affected by the change in regulation of indecency in broadcast media include the Federal Communications Commission (FCC), broadcasters, and the viewing (or listening) audience. On the positive side, punishing broadcasters for broadcasting fleeting expletives will provide incentive to counsel guests and anchors on TV and radio about their language. It will potentially prevent widespread fleeting expletives in the future. But the more stringent rules regarding fleeting expletives will also act as a censor on broadcasters and guests, restricting their freedom of speech and expression. The interest of the public in preventing such fleeting expletives must be weighed against the interest in freedom of speech. And, of course, the FCC will need to be more diligent and consistent in the monitoring and enforcing of fleeting expletive.

Questions for the panel's consideration:

- What do the speakers think will be the implication of these recent events in broadcast media concerning not only the First Amendment (free speech) but also cost to individual broadcasters?
- Will stronger sanctions and monitoring of fleeting expletives even solve the problem?
- How will sanctions act as a deterrent to speech that is not premeditated?
- Will the increased monitoring and enforcement of fleeting expletives by the FCC require more taxpayer dollars? If so, is that a valid expenditure?
- Should the public be more wary of regulations that impede freedom of speech, no matter how seemingly innocent they may be?

Moderator

Barbara Croll Fought

Director, Tully Free Speech Center; Associate Professor, Broadcast Journalism

Barbara Croll Fought is the Director of the Tully Center for Free Speech and teaches communications law and broadcast journalism at the Newhouse School at Syracuse University.

The Tully Center for Free Speech (tully.syr.edu) educates university students and the public about the important value of free speech. It provides educational resources/events, funds programs such as this symposium, conducts research and gives an annual Free Speech award to a journalist.

Fought's research has focused on access to government information and she's managed an Internet discussion group, FOI-L, on freedom of information for 13 years.

The Center's most recent research, partnering with the Reporters Committee for Freedom of the Press, detailed significant problems for citizens and reporters to access information about the US military justice system (www.rcfp.org/militarydockets).

Fought received the Newhouse Class of 1995, "Teaching Excellence Award." She is the co-author of a reporting textbook, "News in a New Century," and a contributor to "Click on Democracy," about the role of the Internet in the 2000 election.

Fought formerly worked as a special projects producer at WDIV-TV, Detroit, specializing in investigative reporting and politics. There she earned 18 national, state and local awards, including nine Emmys.

She earned a J.D. cum laude at the University of Detroit Mercy in 1992, and a BSJ summa cum laude at Ohio University in 1976. She is currently on inactive status with the Michigan Bar Association.



Roy Gutterman

Visiting Assistant Professor, Newhouse, Communications

Roy S. Gutterman returned to Newhouse in the Spring of 2005 as a visiting professor of communications law. A graduate of the Newhouse school, Gutterman teaches courses in media and communications law and newswriting to undergraduate and graduate students.

After graduating from Newhouse, Gutterman worked as a reporter for the Cleveland Plain Dealer, covering local and state government, crime, legal issues and general news.

Gutterman also graduated from Syracuse University's College of Law where he served as editor in chief of the law review. After law school, he clerked for a New Jersey Superior Court judge and practiced business and general litigation.

Gutterman has written and spoken on media law, legal education and writing issues. His book, *L.Rev: the Law Review Experience in American Legal Education* (Academica Press 2002) is in law school libraries around the world.

While at Syracuse, Gutterman also worked at The Boston Globe, The Courier-News in Bridgewater, New Jersey, The Post-Standard and The Daily Orange.

His areas of expertise include the First Amendment, Media Law and Communications Law.



Photo by Richard Prugh

PLEASE SEE PROF. GUTTERMAN'S ARTICLE, "FCC v. FOX: THE NEW INDECENCY FIGHT," WHICH IS REPRINTED IN THIS BOOKLET FROM THE NOVEMBER 24, 2008 SPECIAL TO THE NATIONAL LAW JOURNAL.

Maureen O'Connell

Senior Vice President of Regulatory and Government Affairs of the Government Relations Office,
News Corporation

Maureen O'Connell is Senior Vice President of Regulatory and Government Affairs of the Government Relations Office for News Corporation. She represents the interests of the company before Congress, the Federal Communications Commission (FCC) and the Administration.

Before joining News Corporation in 1996, Maureen was the Media Legal Advisor to Commissioner James Quello of the FCC. Prior to joining Commissioner Quello's office in 1993, Maureen held positions in the Equal Employment Opportunities and Political Programming Branch of the FCC's Mass Media Bureau, Enforcement Division. Maureen was an associate at the law firm of Leventhal, Senter and Lerman from 1988 to 1991 and at Keller and Heckman from 1986 to 1988.

Maureen graduated with honors from the University of Iowa in 1984, and she received her law degree from the University of Iowa College of Law in 1986, also with honors. Maureen currently resides in Kensington, Maryland with her daughter Danielle and husband, Tom Dodd.



David H. Solomon

Partner, Wilkinson Barker Knauer, LLP

David Solomon joined the firm in June 2005 after nearly 18 years at the Federal Communications Commission. Most recently, he served as the first Chief of the FCC's Enforcement Bureau, from November 1999 to May 2005. Prior to that, he served as FCC Deputy General Counsel (1994-1999) and FCC Assistant General Counsel for Administrative Law (1987-1994). In these positions, Mr. Solomon played a major role in a wide variety of FCC proceedings, across all substantive communications law areas. His practice at the firm focuses on both media and telecommunications matters.

As Chief of the FCC Enforcement Bureau, Mr. Solomon led FCC enforcement regarding all the industries regulated by the FCC. In the broadcast and cable area, Mr. Solomon was responsible for enforcement of rules in such areas as indecency, children's commercial limits, payola/sponsorship identification, television captioning, pirate radio and technical operation. In the wireless area, his enforcement work included Enhanced 911, wireless local number portability, tower safety and consumer protection. In the telephone area, he was actively involved in enforcement of universal service requirements and merger conditions, as well as rules designed to promote competition and protect consumer interests. Mr. Solomon also supervised the Office of Homeland Security as well as a wide variety of equipment and technical enforcement matters.

While FCC Deputy General Counsel (and, prior to that, Assistant General Counsel), Mr. Solomon provided legal advice with respect to virtually every significant FCC proceeding for more than a decade. For example, Mr. Solomon played a key role in the agency's implementation of the Cable Television Consumer Protection and Competition Act of 1992, the Omnibus Budget Reconciliation Act of 1993 and the Telecommunications Act of 1996.



Communications Law & Policy Society
Syracuse University College of Law

Mr. Solomon is a long-standing member of the Federal Communications Bar Association and has served as co-chair of its Enforcement Practice Committee.

Robert W. Peters
President, Morality in Media, Inc.

Robert W. Peters is president of Morality in Media, Inc., a nonprofit national organization founded in New York City in 1962 to combat obscenity and uphold standards of decency in the media. Mr. Peters has been a speaker at numerous conferences, workshops, panel discussions, and other events. He has written articles for various publications and has been interviewed by local, national and international print media, including the *Atlanta Journal-Constitution*, *Boston Globe*, *Boston Herald*, *Chicago Tribune*, *Dallas Morning News*, *Detroit Free Press*, *Los Angeles Times*, *Miami Herald*, *New York Times*, *New York Daily News* and *Newsday*, *New York Post*, *Philadelphia Inquirer*, *San Francisco Chronicle*, *Washington Post*, *Washington Times*, and *USA Today*. Mr. Peters has also appeared on numerous television shows such as: CNN's "Larry King Live"; CNN Headline News' "Glenn Beck"; Fox News Channel's "Hannity & Colmes" and "The O'Reilly Factor"; MSNBC's "Hardball with Chris Matthews"; CNBC's "Power Lunch"; BBC America's "Talking Movies"; The Comcast Network's "It's Your Call"; PBS' "The News Hour with Jim Lehrer"; C-SPAN's "America & the Courts"; "ABC Evening News" and "PrimeTime"; "CBS Evening News" and "48 Hours"; and "NBC Nightly News" and "Today".



Mr. Peters has also been interviewed on hundreds of local, national and international radio programs and by nationally syndicated radio news networks.

Mr. Peters is the author of "It Will Take more than Parental use of Filtering Software to Protect Children from Pornography on the Internet" (31 N.Y. University School of Law *Review of Law & Social Change* 829, 2007); "Once Again, U.S. Supreme Court Thinks It Knows Better Than Congress" (Spring 2005 issue of *NEXUS: A Journal of Opinion*, Chapman University School of Law); "'Marketplace of Ideas' or Anarchy: What Will Cyberspace Become?" (Spring 2000 issue of the *Mercer Law Review*); and "[Information Superhighway or Technological Sewer: What Will It Be?](#)" (December 1994 issue of the *Federal Communications Law Journal*).

Mr. Peters joined Morality in Media in 1985 as a staff attorney and was named Assistant Director of the [National Obscenity Law Center](#) (a law project of Morality in Media) in 1987. He was appointed President of Morality in Media in 1992.

Mr. Peters has drafted state and local obscenity and related laws and testified before state and local legislative bodies. He has prepared official Comments to the FCC on the subjects of broadcast indecency and the TV ratings and testified at a public hearing of the FCC on the subject of TV violence. Mr. Peters has also authored *amicus* briefs in support of federal laws regulating indecent material on broadcast & cable TV and by means of telephone & computer.

PLEASE SEE MR. PETERS ARTICLE, "BROADCAST INDECENCY AND THE FIRST AMENDMENT," WHICH IS REPRINTED IN THIS BOOKLET WITH PERMISSION FROM MORALITY IN MEDIA.