



**THE CATHOLIC UNIVERSITY OF AMERICA**  
*Columbus School of Law*

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**2006 Spring Symposium**

9:00 a.m.–5:15 p.m.

Tuesday, March 28, 2006

Columbus School of Law  
3600 John McCormack Rd., N.E.  
Washington, D.C. 20064

**“BRINGING AMERICA UP TO SPEED: DELIVERING ON OUR  
BROADBAND FUTURE WITHOUT SACRIFICING LOCAL IDENTITY”**

*Sponsored by*

*The Catholic University Of America’s CommLaw Conspectus: Journal of  
Communications Law and Policy, The Catholic University Of America’s Institute for  
Communications Law Studies, and Warren Communications News*

*Keynote Address By*

John M.R. Kneuer

Deputy Assistant Secretary of Commerce for Communications and Information  
National Telecommunications and Information Administration

and

*A Wireless Spectrum Debate Featuring*

Michael Calabrese, Vice President, New America Foundation

Thomas Hazlett, Professor of Law and Economics, George Mason University School of Law

Competition in the global economy is increasingly dependent on access to a modern high-speed telecommunications infrastructure. Bringing access to this high-speed infrastructure to low-income Americans and those in rural, remote, and underserved areas is widely considered essential for the continued growth of the nation’s economy. Despite this near consensus, there is considerable disagreement regarding how access can and should be provided to every American, and how the unique issues presented by competition on a global scale can be contended with.

The 2006 Symposium will allow scholars, practitioners, and students to debate and discuss the problems and develop solutions to America’s existing telecommunications infrastructure. The Symposium is divided into four panels: two in the morning and two in the afternoon. A keynote speech will separate the morning and afternoon panel discussions.

The morning panels will address how high-speed telecommunications service can be brought to those Americans who do not have access to these services due to lack of income or lack of service availability. The first panel will address how to remedy the issues which have thus far prevented ubiquitous broadband access both now and in the future as technologies progress. The following panel will address the Universal Service Fund and regulatory attempts to bring broadband to rural and low-income America through this program.

Following a keynote address, the afternoon panels will address the obstacles standing in the way of allowing all of America to access the global marketplace. Our first panel will examine the problem currently facing municipalities throughout the country—when commercial forces opt not to invest in infrastructure in a given area, should local government leverage their tax base to fill-in the gap and bring the services to their citizens? More and more municipalities will have to decide whether to wait for market forces to deliver services to their citizens or to take action for themselves. The final panel will address the issues of localism in a global economy. Preserving the small and local radio, television, and newspaper outlets when economies of scale and global competition are introduced into a market presents a delicate balancing of economic and social interests. Our panels will address those issues, and propose methods for striking the appropriate balance.

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#### **PANEL I: BROADBAND DEPLOYMENT—LAYING THE IP BACKBONE FOR 21ST CENTURY COMMERCE**

The United States invented the Internet, yet recent reports suggest that our nation is thirteenth in the world in broadband deployment. There has been much outrage and legislative ink spilled in attempting to remedy this gap, but to no effect. This panel will discuss the failure of the American economy and regulators to provide broadband Internet access to more Americans, in particular to those in rural areas and those with lower incomes. The discussion will consider realistic goals for broadband deployment in the United States and attempt to develop regulatory and economic solutions to obstacles standing in the way of fulfilling such a goal.

##### Moderator

- Erin L. Dozier, Associate, Sheppard, Mullin, Richter & Hampton LLP; Lecturer, Columbus School of Law, the Catholic University of America

##### Panelists:

- Kathleen Ham, Managing Director, Regulatory Affairs, T-Mobile
- Julie Kearney, Senior Director and Regulatory Counsel, Government Affairs, Consumer Electronics Association
- Cherie Kiser, Partner, Mintz Levin Cohn Ferris Glovsky and Popeo P.C.
- Harvey Reiter, Partner, Stinson Morrison Hecker LLP
- Robert J. Rini, Partner, Rini Coran, PC

#### **MID-MORNING ADDRESS: GOOD INTENTIONS VERSUS REAL ACCOMPLISHMENTS—EFFECTIVE PERFORMANCE MEASURES FOR UNIVERSAL SERVICE PROGRAMS**

Jerry Ellig, Ph.D., Senior Research Fellow, Mercatus Center, George Mason University

**PANEL II: THE UNIVERSAL SERVICE FUND—REGULATING THE COMMUNICATIONS INDUSTRY’S OBLIGATION TO PROVIDE BASIC SERVICES TO ALL AMERICANS**

The Universal Service Fund is premised on the belief that all Americans, in both urban and rural areas, deserve access to quality telecommunications services at affordable rates. Can a system that was built to provide “plain old telephone service” to all areas of the country via wired telephones provide basic services in a 21st century global telecommunications infrastructure? And should we be subsidizing copper wires when the lowest cost method for delivering even the most basic voice services can be achieved through new technologies such as wireless and Voice over Internet Protocol. Is there a future for the Universal Service Fund? How must it change in order fulfill its purpose and maintain its relevance? This panel will address these and many other concerns facing the beleaguered system.

Moderator

- Gary Epstein, Partner, Latham & Watkins LLP

Panelists: (additional confirmations pending)

- Paul Garnett, Director, Regulatory Policy, CTIA: The Wireless Association
- Kathleen Grillo, Vice President, Federal Regulatory, Verizon
- Donna Lampert, Partner, Lampert & O’Connor, P.C.

**LUNCHEON DEBATE:**

**RETHINKING SPECTRUM MANAGEMENT TO EMBRACE OUR BROADBAND FUTURE—PROPERTY RIGHTS VS. THE COMMONS**

Wireless technologies offer some of the most promising “last-mile” solutions for broadband deployment. The success of Wi-Fi in the unlicensed spectrum bands has led some to question whether our spectrum management policy should embrace this unlicensed Commons approach. Others feel that the opposite approach is needed, and that the Property Rights paradigm will stimulate build-out and maintenance of wireless networks these technologies can use. The debate should bring into relief these opposing trends in spectrum management policy by asking two of the most prominent proponents to advocate and defend the policy they feel will help bridge the “last-mile” in connecting the United States to the 21st Century broadband infrastructure.

Moderator

- Fred Campbell, Legal Advisor, Chairman Kevin Martin, Federal Communications Commission

Participants

- Michael Calabrese, Vice President, New America Foundation
- Thomas Hazlett, Professor of Law and Economics, George Mason University School of Law

**PANEL III: LOCALISM—PREVENTING GLOBAL VOICES FROM DROWNING OUT LOCAL CONCERNS**

Inherent in bringing the global economy to rural America is the problem of “big voices” drowning out “small voices” in the media. Localism, the belief that at least some media should be local in nature and origin, has been a hallmark of the FCC’s policies since the passage of the Communications Act of 1934. This panel will discuss the future of localism, whether modern technologies have made localism rules anachronistic, or whether these rules are more important in an age of greater and more pervasive media concentration.

Moderator:

- Richard E. Wiley, Partner, Wiley Rein & Fielding LLP; Member, National Advisory Board, *CommLaw Conspectus: Journal of Communications Law and Policy*

Panelists:

- Rudy Brioché, Legal Advisor to Commissioner Adelstein for Media Issues, Federal Communications Commission
- Jane Mago, Senior Vice President, General Counsel, National Association of Broadcasters
- Andrew Schwartzman, President and CEO, Media Access Project
- Peter Tannenwald, Partner, Irwin, Campbell & Tannenwald, P.C.

**PANEL IV: MUNICIPAL NETWORKS—LOCAL GOVERNMENTS POWER TO CONNECT TO THE GLOBAL MARKETPLACE**

When the market fails to provide for the modern infrastructure demand and needs of a community what recourse does the community have? Commercial telecommunications providers may be reluctant to provide modern telecommunications networks to certain sparsely populated areas because of lower profit margins. In response, several municipalities have sought to provide their constituents with broadband access. This panel will examine the direct tension between commercial telecommunications providers and municipalities. The discussion will focus on efforts by commercial carriers to lobby state legislatures to prevent municipalities from competing in the telecommunications marketplace.

Moderator:

- Bryan Tramont, Partner, Wilkinson Barker Knauer, LLP; Lecturer, Columbus School of Law, the Catholic University of America

Panelists:

- Johnathan Askin, General Counsel, Pulver.com Enterprises
- Dr. William H. Lehr, Research Associate, Center for Technology, Policy and Industrial Development, Massachusetts Institute of Technology
- Randolph J. May, Senior Fellow, Director of Communications Policy Studies, The Progress & Freedom Foundation

**KEYNOTE ADDRESS**

John M.R. Kneuer, Deputy Assistant Secretary of Commerce for Communications and Information, National Telecommunications and Information Administration

The symposium is free and open to the public. RSVP is required. To RSVP, please contact Joanna Georgatsos ([joanna.georgatsos@gmail.com](mailto:joanna.georgatsos@gmail.com)). Please include name, company or organization, address, and e-mail. For more information about the event, visit <http://commmlaw.cua.edu/symposia/2006>.