

FCBA News

AUGUST 2002

Newsletter of the Federal Communications Bar Association

Communications Law 101 Seminar Kicks Off on Halloween Day

The FCBA's fourth annual "Communications Law 101: A Practitioner's Primer" is slated to begin during the daylight hours of October 31, 2002—and is designed to provide a decidedly non-scary introduction to the sometimes arcane field of communications regulation. The two-day event offer participants an overview of the basics in traditional areas of practice, such as wireline telephony and broadcasting, as well as a guide to some of the hottest policy debates, such as broadband regulation and the interplay between FCC regulation and bankruptcy law.

Comm Law 101 also features another attraction this year: a price reduction in comparison to last year's fees. Registration fees this year will be \$250 for lawyers and paralegals in private practice or corporate positions, and \$125 for those in government service, non-profit positions or still in law school.

The seminar is tailored primarily for new law school graduates who are beginning their careers in law firms, government agencies, or communications companies. Speakers and course materials will focus on the "nuts and bolts" of communications law—and all questions are welcome, no matter how rudimentary. Experienced lawyers who have specialized in other fields also may find Comm Law 101 a useful complement to their practice.

All sessions will take place at the Georgetown University Law Center, 600 New Jersey Avenue, N.W., Washington, D.C. Events will begin at 8:30 a.m. on both days; sessions will conclude by 4:15

p.m. on Thursday, October 31, and by 1 p.m. on Friday, November 1.

First-day sessions will include:

**The Regulatory Framework
Network Infrastructure and
Technology Basics
The Economics of the
Communications Marketplace
Bankruptcy Law for
Communications Lawyers**

The second-day agenda will feature a series of break-out sessions. Participants may choose to attend up to three of the following options:

**Common Carrier Law and Wireline
Competition Policy
Media and Multi-Channel Video Law
and Policy
Wireless and Satellite Law and Policy
Broadband Policy
Digital Transition Policy
Spectrum Management Policy
State and Local Regulation
FCC Assignment and Transfer
Procedures**

Further details, will appear in future issues of the newsletter and be posted soon on the FCBA website. You may register now, by using the form on page 16.

FCBA Career Night to be held September 19

The Federal Communications Bar Association's (FCBA) Young Lawyers Committee (YLC) and the FCBA Diversity Committee are pleased to announce they will be hosting a Career Night on **September 19, 2002**. The event is intended to provide law students and new attorneys with career advice and an overview of the current employment landscape. The event will include a panel discussion, and attorneys from local law firms, the FCC, Capitol Hill, the Department of Justice, and trade associations will be invited to participate. Students, attorneys and panelists will have the opportunity to ask questions and engage one another during the forum and in a short post-event reception.

The FCBA is an organization of attorneys and other professionals, including engineers, consultants, economists and government officials, involved in the development, interpretation and practice of communications law and policy.

The YLC offers young lawyers and professionals in the communications field an opportunity to meet and network with their peers. The YLC

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www.fcba.org

PRESIDENT'S MESSAGE

DEAR MEMBERS:

I am pleased to report that the FCBA's new year is off to a good start; we've accomplished quite a bit in the past month. The Executive Committee met for the first time on July 16th. The Executive Committee is comprised of the elected officers, Chapter representatives **Ruth Bahe-Jachna** and **Suzanne Toller**, the Young Lawyers Committee representative, **Chris Moore**, ABA Delegate, **Clark Wadlow**, and the elected Executive Committee members, each of whom serves for three years. The three new Executive Committee members are **Selina Khan**, **Sheryl Wilkerson** and **Bryan Tramont**. Returning for their second year are **Rebecca Dorch**, **Byron Marchant** and **Mark Schneider**.

And, beginning their last year of duty are **Jim Blitz**, **Joe DiScipio** and **Jennifer Warren**. The Executive Committee is responsible for establishing the FCBA's general policies. Each member also serves as a liaison to two of our standing or ad hoc committees. I hope that you will feel free to call these elected representatives of the FCBA to relay any suggestions or concerns that you would like them to raise at our monthly meetings.

The other big events in July were another successful Seminar West, the Co-Chairs kick-off meeting, and our first Chapter Reception in the Pacific Northwest in conjunction with NARUC's summer meeting in Portland, Oregon. First, our Seminar West program featured **Commissioners Abernathy** and **Martin**, as well as FCC General Counsel, **Jane Mago**. The panels and keynotes, weather and activities all were a hit. We were joined by FCBA members from all over the U.S. for a weekend full of interesting policy discussions and recreational activities. Second, the newly appointed FCBA co-chairs met on July 23rd and are now off and running. Third, the FCBA's Pacific Northwest Chapter and Davis Wright Tremaine co-hosted a reception for FCC and State Commissioners on Monday, July 29th, which represents the first Chapter event of the year. Commissioners Abernathy, Copps and Martin, along with their legal advisors, attended the event. The reception provided members from outside of D.C. with an opportunity to visit with the FCC officials in attendance, and for those government officials to hear from companies and practitioners with different perspectives and insights on the current issues facing our sector. Included in this edition of the Newsletter is a complete list of these new co-chairs.

I want to take this opportunity to thank all outgoing co-chairs, many of whom served for multiple years, for their hard work and dedication to the FCBA. Your dues renewals provide the information necessary to complete the committee lists and should be finished by September. After that, your committee co-chairs will be able to schedule events and communicate directly with their specific group. In the meantime, you should feel free to contact any of the co-chairs with ideas for the coming year.

Our good and quick start is due in large part to our professional staff, **Stan Zenor**, **Heidi Kurtz** and **Wendy Parish**. The FCBA is fortunate to have a stable complement of professionals as we transition between years. I hope that continuity provided by our high caliber staff will allow me to maintain the tremendous momentum that I inherited from the last administration.

The newly combined Membership, Marketing and Publications Committee, Chaired by **Pam Cooper**, **Chuck Keller** and **Chris Guttman-McCabe**, will study the issue



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

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DEPUTY DIRECTOR

Heidi M. Kurtz

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Photographer - Mark Van Bergh

As of 8/10/02 passcode: 305

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TO RESPOND TO JOB BANK LISTINGS

If the employer is listed, send the information requested directly to the employer. If you are responding to a **BLIND BOX** listing, send **ONE COPY** of the information requested to Heidi Kurtz, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to **heidi@fcba.org**. Please clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may enclose a separate note to the FCBA specifying any organization to which you do not wish your application to be forwarded. Responses to Blind Box listings can be accepted only from FCBA members.

TO LIST A JOB

Complete a Job Bank Form and send or fax the Form and the appropriate payment to Heidi Kurtz, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101. In addition, please email the text of the ad to **heidi@fcba.org**. Listings and payment received by the 10th day of each month will appear in the next month's newsletter. If possible, ads should not exceed 75 words. Please call the FCBA, (202) 293-4000, for a Job Bank Form. (No headhunters please).

CORPORATE

8.03.1

Paralegal Position in ABC Legal Department, New York — Assist ABC attorneys in FCC and related legal work for ABC television and radio stations and networks. Tasks include but are not limited to drafting FCC applications, drafting children's programming and commercial limits reports, coordinating responses to subpoenas, assisting with copyright royalty filings, reviewing contest rules, collecting and reviewing station programming reports, and Lexis/Westlaw/FCC research. Must have paralegal certificate or comparable legal experience as well as strong organizational, writing, interpersonal and computer/word processing skills. Prior experience in FCC matters preferred. Contact John Zucker at zuckerj@abc.com.

8.03.2

The Universal Service Administrative Company (USAC) is seeking a High Cost Manager. This newly created position will be responsible for ensuring that the high cost support mechanisms remain in compliance with FCC rules, which govern the program. The incumbent will oversee the vendors who perform the high cost calculations, establish internal controls, establish standard processing procedures, and perform outreach to carriers.

Qualified candidates should have a minimum of four to six years of experience, including three years of supervisory experience. Candidates should have prior regulatory experience, excellent oral and written communications skills, and good problem solving skills. Bachelor's Degree in a relevant field is required; graduate level training is preferred. Please send resume to pdinwiddie@universalservice.org.

INTERNSHIPS

The Competition Policy Division of the Federal Communications Commission's Wireline Competition Bureau is seeking unpaid legal interns for the fall of 2002. Interns will have the opportunity to engage in legal research and writing in conjunction with several major rulemakings and adjudicatory proceedings. The Division handles matters such as implementation of the advanced services and local competition provisions of the Telecommunications Act of 1996 and Bell Operating Company authorizations to provide in-region long distance services. For more information please see our web site at: <http://www.fcc.gov/wcb/cpd/>. Interested law students should send a cover letter, resume, writing sample, and unofficial transcript to Ian Dillner, idillner@fcc.gov.

Unique Volunteer Opportunity

Save the date — the next Bread for the City Legal Walk In Clinic date is August 10, 2002. Tell your friends!

Please make a special effort to come this month, as August is a common time for people to be away on vacation and we will need volunteers.

The FCBA's Young Lawyers Committee organizes volunteers to spend three hours once a quarter helping lower income individuals through a clinic sponsored by the DC Bar. We co-volunteer with the DOJ Antitrust Division. Attorneys receive a half-hour overview/orientation beginning at 9:30 am over bagels and juice. Volunteers are

expected to assist clients only during the time they are at the clinic. No special legal knowledge is needed — attorneys generally need to keep an eye out for potential legal issues while using their common sense to solve a myriad of questions and make referrals to other organizations. Experienced attorneys on-site will assist FCBA attorneys and other volunteers with any questions. Previous attendees have described this as "the most satisfying volunteer experience I've had as an attorney."

You must either be a member of the DC Bar, have an application pending to the DC bar, or be an employee of the federal government to provide advice. Those who are not DC bar members, paralegals and law students are needed, however, to provide intake and triage.

Law students can have the opportunity to sit in on advice sessions. Remember, dress is casual, but respectful. Bring a pen.

The clinic is located at Bread for the City, 1525 7th St., NW Washington DC. Metro accessible on the Green line, Howard University Metro station, exit at 8th & R Streets.

If you would like more information about the clinic, their web site is: <http://www.breadforthecity.org/>

COMPUTERS FOR COMMUNICATIONS PRACTITIONERS

Summer Reading at Your Virtual Library

Communications Research on the Internet

BY KURT E. DESOTO

Finished the bestsellers you brought along with you on your summer vacation to the beach and now need some “heavier” reading? Want to find out what is going on in the industry or at the FCC? Fortunately, you don’t need to find the nearest communications company or law firm that subscribes to the *Telecommunications Reports* or the FCC’s *Daily Digest*. There is an overwhelming amount of communications-related information accessible via the World Wide Web from a terminal at the local Internet café or over your laptop’s modem connection. Bonus: these same materials are accessible from your desktop PC back at the office when you return from vacation.

Of course, the first place to start is at the FCC’s own extensive and well-organized website, located at <www.fcc.gov>. In fact, the site has become a model for other federal agency sites. It provides access to electronic copies of FCC daily digests, decisions and other materials in a variety of software formats that may be displayed or downloaded and printed without charge. As most practitioners are familiar with the FCC’s site, however, this article will focus on non-FCC websites.

RESOURCE PORTALS

The “granddaddy” portal for communications sites is located at <china.si.umich.edu/telecom/>. This site offers over 7,000 hypertext links to telecommunications resources on the Internet. A sampling of the table of contents includes such topic links as: Telecom News and Headlines; Telecommunications Policy and Regulation; Global Information

Infrastructure; Telecom Operating Companies; Internet Telephony; Broadcasters; and Associations, Nonprofits: Foundations and Professional, Trade and Interest Groups.

LawSource, Inc., and Law Research maintain portals designed specifically for legal research. These sites provide a compilation of links to sources of U.S. (including both federal and state law) and selected international law. LawSource’s American Law Sources Online (ALSO!) is located at <www.lawsources.com/also> and Law Research’s site appears at <www.lawresearch.com/home.htm>.

Portals for state resources are available at <www.naruc.org/resources/state.shtml> (state public utility commission websites listed by NARUC) and <www.statescape.com/Resources/Resources.asp> (links to state legislative homepages).

PRIMARY SOURCES

A number of non-FCC sites post the written decisions, rules and laws of the FCC, the courts, and Congress. Some offer these at no charge (primarily government sites). Others are subscription-based and impose monthly fees, per search fees, or both. Fee-based sites are generally more comprehensive, however, or offer helpful additional features or functions. Moreover, some post materials before they are available on free websites or when the free sites are inaccessible or experiencing problems.

Subscription-Free Sites: The FCC’s regulations are available online from the U.S. Government Printing Office at <www.access.gpo.gov/nara/cfr/index.html>. The GPO also posts the *Federal Register*, at <www.access.gpo.gov/su_docs/aces/aces140.html>.

Cornell University maintains a website on various aspects of the laws, decisions and regulations that affect Title 47 of the United States Code and Title 47 of the

Code of Federal Regulations governing communications. The materials are located at <www.law.cornell.edu/uscode/47/> and <lula.law.cornell.edu/cfr/cfr.php?title=47>. These pages are searchable by title and section or keyword.

Several Internet sites offer hypertext links to the texts of court decisions and other materials. Some also specialize in providing summaries and analyses of key decisions and pending cases. These include:

- <www.law.cornell.edu/topics/communications.html> (selected Supreme Court and Appeals Court communications case summaries and opinions hosted by the Legal Information Institute)
- <www.uscourts.gov/allinks.html#dc> (links to Federal Courts and decisions by Circuit and District)
- <www.findlaw.com/casecode>, <www.lawsources.com/also> and <www.nlj.com/special/courts.html> (general judicial decisions and legislative materials)

The Senate and House Commerce Committees host sites containing links to bills, GAO reports and other legislative information relating to communications. These sites, respectively, are: <www.senate.gov/~commerce/> and <com-notes.house.gov/>. The Library of Congress hosts a site with links to federal legislative materials generally, such as bills, House and Senate Committee reports, and Congressional calendars and schedules. The site can be found at <thomas.loc.gov/>.

Subscription-Based Sites: Most practitioners are familiar with the services offered by LexisNexis (www.lexis-nexis.com), West Group (www.westgroup.com) and perhaps TheLaw.net (www.thelaw.net), so this article will not describe them here. But did you know there are a number of other sites that focus on specific

COMPUTERS FOR COMMUNICATIONS PRACTITIONERS

communications materials? Pike & Fischer, Inc. (www.pf.com), facilitates access to the FCC's decisions as well as annotated versions of related regulatory and statutory materials via the Internet or through compact discs mailed to its subscribers. Berry Best Services, Ltd., obtains "official" paper copies of the FCC's daily releases and converts them to Adobe Acrobat PDF format for delivery via its website at www.berrybest.com. A complete description of Berry Best's services is posted at www.fcba.org/extra7.shtml.

Several subscription-based sites provide web-based access to the service rates, terms, and conditions of selected telecommunications companies. Although these sites charge a fee, they provide access to substantially more materials than does the FCC's Electronic Tariff Filing System (ETFS) located at svartifoss2.fcc.gov/prod/ccb/etfs. They also offer subscribers the ability to conduct keyword and other types of searches. The URLs for two of these sites are www.tariffnet.com, hosted by the Valucom, Inc., and www.ccmi.com hosted by the Center for Communications Management Information (CCMI). A complete description of these sites is available at www.fcba.org/extra2.shtml.

Other companies offer online access to FCC licensing and engineering records. These include Percon Corporation (www.perconcorp.com) and Washington Radio Reports (www.wrronline.com). A description of these sites is posted at www.fcba.org/extra1.shtml.

INDUSTRY PUBLICATIONS

Many publishers and news services offer online versions or excerpts of their printed materials. For example, The Indiana University School of Law—Bloomington and the Federal Communications Bar Association jointly publish *The Federal Communications Law Journal*. All issues dating back to Volume 46 (1993-94) are available online and are keyword searchable. The URL is

www.law.indiana.edu/fclj/pubs/volsplash.shtml. Many other entities publish exclusively or primarily on the Internet, such as CNET (www.cnet.com) and Ziff Davis Publishing (www.zdnet.com). News specifically focused on the state level is available at www.statesnews.org, hosted by the Council of State and Local Governments.

Of course, the major newspapers regularly print stories on communications-related matters, and many have online versions of their publications. A comprehensive list of links to more than 3,500 newspapers posted online is located at www.newslink.org/news.html. An alternate site is www.statescape.com/Resources/Resources.asp.

A variety of law firms, consultants, and associations host websites that contain extensive communications-related information. For example, my firm (like many others) maintains a website at www.wrf.com containing copies of articles, newsletters and notable pleadings available for review or download. Check with your consultants to determine whether they maintain similar sites. A hypertext linked list of

communications associations and entities that publish communications-related articles and materials appears at www.lawresearch.com/practice/ctele.htm.

There are also a number of entities that will deliver publications via email. For example, the National Exchange Carrier Association's *Washington Watch* available on its website at www.neca.org will be emailed upon request. Telecommunications Reports International emails its *e-Law Online Monitor* to subscribers. Information on TR's service is available on its website www.tr.com.

So sit back and relax this summer. Enjoy the beach or the mountains. Enjoy Brad Meltzer's *The First Counsel* or David Baldacci's *The Last Man Standing*. Then enjoy the links.

Mr. DeSoto is an attorney at the law firm of Wiley Rein & Fielding LLP. He practices in the areas of wireless and wireline telecommunications, telephone company ratemaking, and equipment authorization. He previously worked in the FCC's Common Carrier Bureau. 8/2002

FCBA Membership Renewal

The dues invoices for the 2002-2003 FCBA fiscal year (July 1, 2002 - June 30, 2003) were recently mailed. **Please note that the deadline is JULY 30, 2002.** Please remember to renew your membership as soon as possible. Save the Association the expense of mailing reminder notices. And don't forget the FCBA Foundation when renewing your membership. In addition to the dues renewal form, you also received in the same envelope, a Committee and Chapter Registration Form. It is very important to renew your affiliation with committees and/or chapters, as the lists are cleared each year.

Call for Papers

The *CommLaw Conspectus: Journal of Communications Law and Policy*, published by the Catholic University of America School of Law, is seeking articles for Volume 11. All FCBA members and others in government, private practice, industry, and academia are encouraged to submit articles to CommLawLAE@law.com. If you have any questions, please contact Catherine Hilke, Senior Lead Article Editor, or Megan Eden, Editor-in-Chief, at 202/319-5134.

COMMITTEE AND CHAPTER NEWS

Announcing the 2002-2003 FCBA Committee and Chapter Co-Chairs

STANDING COMMITTEES

Access to Records

Dennis P. Corbett
Michael A. McCoin
Christopher R. Bjornson

Annual Seminar Planning

R. Michael Senkowski
Kathryn A. Zachem
Celia Nogales

Cable Practice

Lisa Chandler Cordell
James R. Coltharp
Catherine Bohigian

Commendations

Robert A. Beizer
S. White Rhyne
Alan C. Campbell

Common Carrier Practice

Thomas Jones
Matthew A. Brill
Melissa Newman

Conference Planning

Henry M. Rivera
R. Clark Wadlow
Richard E. Wiley

Constitution and By-Laws

Jean L. Kiddoo
Mary Beth Richards
Lawrence Roberts

Continuing Legal Education

Laura H. Phillips
Mark A. Grannis
Lauren M. Van Wazer

Diversity

Edgar Class III
Monica S. Desai
Harry Wingo

FCC Enforcement Practice

Robert L. Pettit
Jordan B. Goldstein
Kathryn C. Brown

Global Telecommunications Development

Jacquelynn Ruff
Janet Hernandez
Kent D. Bressie

International Practice

Laura B. Sherman
Jennifer M. Gilsenan
Jennifer D. Hindin

Law Journal

James L. Casserly
Linda K. Smith
Jamison S. Prime

Legislation

Lawrence Duncan III
William Bailey
Mitch F. Rose

Mass Media Practice

Barry D. Umansky
Frank R. Jazzo
Maureen A. O'Connell

Membership and Marketing

Pamela C. Cooper
Christopher Guttman-McCabe
L. Charles Keller

National Telecommunications Moot Court Competition

Charles H. Kennedy
Lee G. Petro
Nandan M. Joshi

Nominations

Margaret L. Tobey

Online Communications

Karlynn D. Stanley
Aileen A. Pisciotta
Amy R. Wolverton

Professional Responsibility

Theodore D. Frank
Francisco R. Montero
Laura C. Mow

Relations With Other Bar Associations

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Rosalind K. Allen
Nancy A. Ory

State and Local Practice

J. G. Harrington
James Bradford Ramsay
Enrico C. Soriano

Transactional Practice

Lauren H. Kravetz Patrich
Brian D. Weimer
Raymond B. Grochowski

Wireless Telecommunications Practice

Robert A. Calaff
Charla M. Rath
David M. Don

Young Lawyers

Yaron Dori
Ryan G. Wallach

AD HOC COMMITTEES

Administrative Matters

Michele C. Farquhar
Mark Van Bergh
Diane J. Cornell
Stuart A. Shorestein

Charity Auction

Yaron Dori
Ryan G. Wallach
Carolyn W. Groves
Pam F. Slipakoff
Cheryl A. Leanza
Audrey Wright
Jennifer Warren

Engineering and Technical Practice

Lisa Gaisford
Thomas S. Dombrowsky, Jr.
David R. Siddall

Northern Virginia Practice

Natalie G. Roisman
George R. Rogers
Alison J. Shapiro

COMMITTEE AND CHAPTER NEWS

CHAPTERS

Atlanta

Michael D. Rosenthal
Richard P. Keck
Andrew M. Tebbe

Denver

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Robert A. Zupkus

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Jack A. Pace
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Eileen E. Huggard

Northern California

Mary E. Wand
John Metelski
David W. Sosa

Pacific Northwest

Michael Van Eckhardt
Arthur A. Butler
Judith A. Endejan

Texas

Thomas Anson
Robin A. Casey
Susan B. Schultz

Charity Auction Committee

The **13th Annual Charity Auction** will be held on **Thursday, November 21, 2002** at the Capitol Hilton, 16th & K Streets, N.W., Washington, D.C., beginning at 6:30 p.m., and is free and open to the public.

The committee co-chairs (**Yaron Dori, Ryan Wallach, Jennifer Warren,**

Carolyn Groves, Cheryl Leanza, Audrey Wright and Pam Slipakoff) are currently in the process of selecting the beneficiary charity that will receive the money raised that night. Soon the co-chairs, as well as those whom have signed up to be committee members will be asking select businesses and individuals to donate products or services to be used as auction and raffle prizes. An auction donation form as well as information about the beneficiary will appear in next month's *FCBA News*.

If you are interested in joining the Charity Auction Committee, please contact Heidi Kurtz at the FCBA office - heidi@fcba.org, or be sure to indicate it on the Committee and Chapter sign-up sheet that was mailed with your annual dues renewal invoice.

Over the past twelve years, the Charity Auction has raised over \$400,000 for the following charities: Project Northstar, the Hospital for Sick Children, The House of Ruth's KIDSPACE, the Mazique Parent-Child Center, Pediatric AIDS/HIV Care, Inc., For Love of Children, Horton's Kids, Funds for the Community's Future, the D.C. Children's Advocacy Center, See Forever - The Maya Angelou Public Charter School, Sarah House, Children's Law Center, and STEP/I Have a Dream.

Atlanta Chapter

Continuing Atlanta Chapter Co-chair, Michael Rosenthal, would like to thank outgoing co-chairs Walt Sapronov and Carolyn Roddy for their outstanding support of the Chapter, and welcomes Richard Keck and Andrew Tebbe as Co-chairs for the new year. The resurging Atlanta Chapter is poised for another great year!

New York Chapter

The New York Chapter held its annual luncheon on Thursday, July 11. At the well-attended luncheon, FCC Commissioner Kathleen Abernathy announced her "Nascent Services Doctrine," which she developed to address one of the FCC's recurring regulatory dilemmas - how to craft appropriate regulations for new technologies and services. Following her remarks, she responded to a wide range of questions in a lively and interesting Q&A session. Attendees represented diverse interests in the communications field, from media and telecommunications attorneys to financial analysts to local and state

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Bruce Regal, Debra Samuelson, Commissioner Thomas Dunleavy NY PSC Commissioner

COMMITTEE AND CHAPTER NEWS

NEW YORK CHAPTER

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government members of the bar. Stacy Robinson, the Commissioner's Mass Media Legal Advisor, Commissioner Thomas Dunleavy of the New York State Public Service Commission and Stuart Shorenstein, the FCBA's newly elected Assistant Secretary, joined us at the luncheon. Commissioner Abernathy also graciously spent time before and after the luncheon meeting and speaking with chapter members and guests.



Commissioner Thomas Dunleavy, Mary Ellen Burns, Commissioner Kathleen Abernathy, Sandra Dilorio Thorn

COMMITTEE AND CHAPTER EVENTS

Pacific Northwest Chapter

Event: Brown Bag Lunch (bring your own) - drinks will be provided

Date/Time: Wednesday, August 21, Noon

Location: Graham & Dunn, 1420 5th Avenue, Seattle, 33rd Floor

Topic: Implications of the U.S. Supreme Court decision in Verizon Communications Inc. et al v. FCC, decided in May, 2002, and the subsequent D.C. Circuit decisions, which do not seem to jive with the Supreme Court's logic.

For More Information: Judy Endejan - jendejan@grahamdunn.com

RSVP to: none required

Young Lawyers Committee and Diversity Committee

Event: Career Night

Date/Time: Thursday, September 19, 6:00 - 8:00 p.m.

Location: Hogan & Hartson, 555 13th Street, NW

Topic: See article on front page for details

For More Information: Yaron Dori - ydori@hhlaw.com or Ryan Wallach - rwallach@willkie.com

RSVP to: Wendy Parish - wendy@fcba.org

PRESIDENT'S MESSAGE

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of growth, work on an association brochure, and continue to improve the FCBA's web site. This is a tall order for one committee, but with the co-chairs' able leadership and help from other members who have signed on to the

committee, I am confident that they will do an excellent job. I expect this committee to make some recommendations to the Executive Committee on these issues within the next few months.

Peter Shields

CAREER NIGHT

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offers educational seminars, informal luncheon and breakfast meetings, and a variety of athletic, cultural and social events. It also sponsors an Annual Charity Auction with the FCBA Foundation. Attorney and non-attorney members who are under age 36 or attorneys who have been admitted to practice within the preceding 7 years are invited to join.

This year's Career Night will be held at Hogan & Hartson, will begin at 6:00 p.m., and will last until 8:00 p.m. For information regarding this event, please contact YLC Co-chairs, Yaron Dori (202-637-5600 or ydori@hhlaw.com) and Ryan Wallach (202-429-4759 or rwallach@willkie.com). You may also contact Joe Sabin (703-918-9554 or j_sabin@msn.com) at Catholic Law who is helping to organize the event. Event information will also be posted to the FCBA website at <http://www.fcba.org>. **Please RSVP to Wendy Parish - wendy@fcba.org by September 18.** There is no cost to participate. We look forward to seeing you there!



Volunteer at Martha's Table on August 25

Sunday, August 25, FCBA Foundation volunteers will be helping at Martha's Table from 10:00 a.m. until 1:00 p.m., to assist in the preparation of meals for the District's homeless population. Family and friends are welcome to join us. As many have discovered, this is a great event for children as well. Martha's Table feeds hundreds of hungry, homeless adults and children on the streets of Washington daily, through its mobile soup kitchen, McKenna's Wagon. Please bring sandwich fixings (bread and sandwich meat) with you, as the center often runs out of donated food.

Martha's Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available. For more information, contact **Howard Weiss** at 703/812-0471 (or **Chris Wood** at 202/939-7903 (cwood@fw-law.com).

Coming on September 29th, attorneys and staff from the National Telecommunications and Information Administration will be joining FCBA members to prepare meals for the homeless at Martha's Table.

Volunteers Wanted for McKenna's Wagon Mobile Soup Kitchen on August 25

FCBA volunteers will meet to assist Martha's Table's, mobile soup kitchen, McKenna's Wagon on **Sunday, August 25**. Volunteers will meet on Sunday afternoon at Martha's Table before they depart with the van of food to selected locations. The next date is September 22. To volunteer, or for more information

about McKenna's Wagon, please contact: **Tom Van Wazer** - 202-736-8119 - tvanwaze@sidley.com.

Annual Report of the FCBA Foundation July 1, 2001 to June 30, 2002

Having celebrated its tenth anniversary year, the Federal Communications Bar Association Foundation remains a vital, active organization (operating under Section 501(c)(3) of the Internal Revenue Code) working to provide the members of the FCBA a vehicle to serve our community.

The Foundation's official mission remains to:

Support worthwhile communications-related and educational projects, as well as other community service projects, particularly those directed toward children and students, through financial contributions and volunteer services provided by Foundation members and other members of the FCBA and their families and associates. Foster greater public awareness and understanding of the development of communications technology, resources and law, and the role of communications law practitioners.

During the 2001-02 term, the Foundation strove to serve these missions by renewing its commitment to service, support and scholarships to our partner schools and charities. As in the past, members of the FCBA have been supportive, participating actively in many projects.

The Foundation's trustees this year were **Howard Weiss, Kathy Zachem, Secretary, Tom Van Wazer, Treasurer, Anna Gomez, Selina Khan, Celia Nogales, Steven Teplitz, Brian Fontes, Audrey Wright, Cheryl Leanza and Donna Gregg, Margaret**

Tobey and Peter Shields were ex officio members, and the FCBA's Administrative Director **Heidi Kurtz** and Executive Director **Stan Zenor** provided invaluable guidance and support as always. We were privileged to also have the energetic efforts of **Shannon Williams**, Celia Nogales' administrative assistant, without which many projects and meetings would never have been accomplished successfully.

THE TENTH ANNIVERSARY CAMPAIGN

In honor of its tenth anniversary, the Foundation's Campaign for Connecting Our Community continued through the summer and fall, culminating in an Evening at the Phillips Collection on October 24, 2002. Chairman Michael Powell was the guest speaker at this gala event sponsored by **Comcast Corporation, SBC Communications, Inc., Wiley, Rein & Fielding, LLP and Ridgewell's Catering**. More than 150 FCBA members and their guests attended the reception, along with honored guests from our partner charities and high schools. In addition to the fabulous food, catered by Ridgewell's, musical accompaniment was provided by FCBA member **Bart Stringham**. **Selina Khan, Celia Nogales, and Shannon Williams** played key roles in coordinating the function. Special tribute was paid at the reception to **Peter Ross**, former Chairman of the Foundation's Board. The campaign was his brainchild and it was his vision, leadership, and energy which made it succeed. Also instrumental in the campaign were **Heather Dixon** and **Lori Alexiou** of Wiley, Rein & Fielding.

The Campaign produced \$56,508.00 in cash donations to the Foundation and computers and related equipment to partner charities and high schools. A list of cash donors is at the end of this report.

FCBA members donated over 100 CPUs, most with peripherals; 19 printers; one

CONTINUED ON PAGE 10



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laptop; a photocopier; and 10 technology teacher-training classes. Donors included: **Arter & Hadden, BellSouth, Comcast, Davis, Wright & Tremaine, Dow, Lohnes & Albertson, Fleischman & Walsh, Fletcher, Heald & Hildreth, Harris, Wiltshire & Grannis, Steven Teplitz, Shaw, Pittman, and Morrison & Foerester.**

Thanks to Foundation Trustee, **Cheryl Leanza**, the equipment was placed at the following DC area non-profits: Asian American Lead, Bell Multicultural High School, Center for Multicultural Human Services (CMHS), Citiwide Computer Training Center, Community Preservation and Development Corp., DC Coalition Against Domestic Violence, District of Columbia Developing Families Center (DCDFC), Garden Resources of Washington (GROW), Just Neighbors Ministry, Inc., Latin American Youth Center, Ophelia's House, PreventionWorks, Sign of the Times, Sojourner's Neighborhood Center, Fletcher-Johnson Educational Center, Roosevelt High School, National Trust for the Development of African American Men, Technology Works for Good, African Wholistic Health Association, Media Access Project, and Martha's Table, in addition to several donations to individuals. Among other important projects, the FCBA Foundation helped the Latin American Youth Center start a new computer lab. Technology Works for Good helped the FCBA Foundation to identify some of the recipients. *Special thanks go to the information technology staff at the donor organizations who spent extra time preparing the computers for donation and helping to deliver equipment.* The Foundation will make available a full report of the donations too lengthy to include here.

SCHOOLS AND SCHOLARSHIPS

The Foundation continued its support for the communications-related

academies at **Roosevelt, Cardozo and Spingarn** High Schools, all D.C. public schools. The programs conducted included field trips, career counseling and in-kind support to partner schools.

The Foundation again awarded four-year scholarships to deserving graduating seniors at the above three schools. Six for \$8,000 (paid over four years) and an additional two for \$20,000 (paid over four years), for a grand total of \$88,000, were given to the following students: **Ayanna Anthonyson, Brandon A. Buckner, Ngoc-Dung T. Do, Delano Hunter, Omolara Layeni, Alexis Meissner, Joseph D. Snider, Austin N. Young.**

More than thirty applicants submitted impressive, and in many cases inspiring, requests for scholarships, describing their academic and civic qualifications, their goals and aspirations, and their "stories." These stories involved hard work, tireless commitment to their goals, and self-sacrifice. In several cases, the applicants did not speak English when they came to this country and, in almost all cases, their financial circumstances and living conditions were challenging. The interview process was an extremely difficult one for the Foundation Trustees because all of the applicants seemed so deserving of assistance.

At the June 10, 2002, FCBA luncheon, many of the students, their family and teachers and guidance counselors from the schools were able to join us and meet representatives of the generous FCBA member companies and individual donors who make the program possible. The scholarship winners were announced and given recognition by means of an inspiring video prepared and produced by **Channel WB-50's** staff in a massive effort coordinated by **Tom Van Wazer** and **Celia Nogales**. On the video, winners described their goals and their gratitude to the Foundation and the FCBA.

The Foundation also continued its mentoring program for scholarship winners. Each scholarship recipient is

paired with an FCBA member-mentor to share experiences with and seek advice from during their transition to college and thereafter. **Anna Gomez** again did a terrific job organizing and coordinating the program. A new set of mentors has agreed to pair up with each of the 2002 scholarship grantees.

The Foundation also awarded a total of \$10,000.00 to four law students holding unpaid summer internships in government service in 2002 (the Robert E. Lee Internships). Stipends in the amount of \$2,500.00 were awarded to **Jamie Thomas Hall, Brendan McMurrer, Michael Signorelli, and Cathleen Xue**, to help underwrite their work at the FCC and NTIA. They too were recognized at the June luncheon. In addition, commencing in 2003, an additional \$600 stipend will be awarded to the "**Max Paglin** Intern" (selected from among the Robert E. Lee interns) in memoriam of Mr. Paglin, a distinguished long-time member of the FCBA and supporter of the Foundation. Funding for this purpose was provided by the **Golden Jubilee Commission.**

SERVICE

Again this year, the Foundation sponsored volunteer efforts at **Martha's Table**. **Howard Weiss** and **Chris Wood** coordinated food preparation efforts on the last Sunday of each month. FCC officials and their staffs and families and FCBA members and their families brought food and prepared it for delivery, as well as food provided by Martha's Table. **Tom Van Wazer** and **Mark D. Schneider** continued to coordinate monthly deliveries on Sundays by **McKenna's Wagon**, the mobile soup kitchen utilized by Martha's Table.

Chris Wood, Barry Umansky and **Anna Gomez** headed up outings where Foundation volunteers escorted Martha's Table kids to the Smithsonian Skating Rink on the mall and a pizza lunch, to a boys' hockey game in Maryland, to a pumpkin farm in Montgomery County at Halloween, and to a Frederick Keys



baseball game on Father's Day. The children enjoyed it immensely and the volunteers who participated had a fulfilling, joyful day on each occasion.

FUNDRAISING

Fundraising remained a key focus of the Foundation in a time of economic distress and reductions in charitable donations generally. We sincerely thank our generous corporate sponsors and the many individuals who join in our dues check-off and annual giving program (listed at the end of this report). The Foundation also depends on the hard work and willingness to devote countless hours of the volunteers who put together our key annual fundraising events.

This year, we were the beneficiary of a generous testamentary donation from **Frank Fletcher's** estate of \$103,265.80. Mr. Fletcher, a partner at **Fletcher Heald & Hildreth**, one of the FCBA's active member firms, was a past President of the FCBA and a dedicated support of the Foundation. When his spouse died, residual funds in the estate were split between the Foundation and the Broadcast Pioneers Library. The Foundation intends to devote at least a portion of these funds to retaining a consultant or consultants to review and revise its databases and practices related to scholarship tracking, fundraising, financial procedures and related issues.

The Foundation was also fortunate to receive a substantial donation from the **Golden Jubilee Commission on Telecommunications** in the amount of \$5,885.42. As reported under the "Scholarship" section, these funds will be used to provide extra money for one of the Robert E. Lee Internship stipends.

In addition, the Trustees charged themselves to actively pursue new sources of revenue, particularly in the area of corporate foundations. Their efforts, led by **Celia Nogales**, paid off. The Foundation was about to secure a donation from the **Verizon Foundation** in the amount of \$25,000.00.

Our annual fund-raising events included:

- The 12th Annual Charity Auction, held on November 15, 2001, raised \$47,000 for the **STEP/I Have a Dream Program**. This program provides educational enrichment to students throughout their primary and secondary education, and ultimately to help finance the education of those who continue on to college. The funds raised at the Auction have been used to purchase a van to transport the students and volunteers to activities and events across the area. Special thanks goes to the **Ad Hoc Charity Auction Planning Committee**, the exceptional efforts of **Heidi Kurtz** and the dedicated members of the Committee, including: **Chris Moore, Yaron Dori, Carolyn Groves, Jennifer Warren, Scott Delacourt, Selina Khan** and **Howard Weiss**. A full list of Auction sponsors, donors and prize purchasers is located at the end of this report.
- The 15th Annual Chairman's Dinner honoring **FCC Chairman Michael K. Powell** was held on December 13, 2001 at the Washington Hilton. Over 1,500 FCBA members and guests attended this gala event. Special guests included **Commissioners Kathleen Abernathy, Kevin Martin** and **Michael Copps**, as well as **Nancy Victory, Assistant Secretary of Commerce for Communications and Information**, and **David Gross, Deputy Assistant Secretary of State for Communications and Information Policy**. **Secretary of State Colin Powell** and **Mrs. Powell** were present to honor Chairman Powell's first appearance as the evening's honored guest. The Chairman's Dinner produced \$30,450.00 for the Foundation.
- On June 17, 2002, the 6th Annual Charity Golf Tournament, newly renamed the Honorable Robert E. Lee Memorial Foundation Charity Golf

Tournament, was held at Bull Run Golf Club in Virginia. It was sold out as usual and raised over \$25,000.00 for the Foundation. The tremendous work of the Golf Committee was directed by **Alan Campbell, Larry Movshin, Celia Nogales, Dee May** and **Tom Van Wazer**.

In the coming year, **Selina Khan, Steve Teplitz** and **Celia Nogales** will depart the Board. Selina has been an active, dedicated Trustee — among other services, she was instrumental in making the 10th Anniversary reception happen, a massive undertaking. Steve was our Scholarship Committee Chair this past year and did a superb job in coordinating the process. Celia was voted Volunteer of the Year, a richly deserved honor for someone who again and again took the laboring oar on significant projects and hosted our meetings. New members, **Diane Davidson, Scott Delacourt, Ruth Milkman, and Greg Vogt** will step into our shoes and do a fine job. **Chris Wood**, who has run the Volunteer Services Committee and helped me immeasurably on every Foundation project, will be the new Chair.

I depart the Foundation following a fulfilling and exciting three years. I will remain available to Chris and the others for moral support and whatever guidance and assistance I can provide. I will always be grateful to Peter Ross for selecting me as Chair and for his advice, counsel and inspiration. I am proud of my Bar and the Foundation and am convinced that the future will bring an even more important role for the Foundation in serving Washington's needs.

Thanks to everyone and a special thanks to my long-suffering secretary/assistant, **Evelyn Ojea**, who has been invaluable on Foundation matters. I could not have done it without her.

Howard M. Weiss
Chair, 2001-2002
FCBA Foundation



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COMMUNICATIONS LAW 101: A PRACTITIONER'S PRIMER CONFERENCE REGISTRATION

CO-SPONSORED BY THE FCBA AND GEORGETOWN UNIVERSITY LAW CENTER CONTINUING LEGAL EDUCATION

Thursday, October 31, 2002
Friday, November 1, 2002

HOTEL INFORMATION

The FCBA has reserved a small block of rooms at the Hyatt Regency on Capitol Hill, 400 New Jersey Avenue, N.W. Contact the hotel directly by September 26, 2002. (202) 737-1234

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REGISTRATIONS MUST BE RECEIVED NO LATER THAN FRIDAY, OCTOBER 18, 2002. NO REFUNDS FOR CANCELLATIONS MADE AFTER OCTOBER 18, 2002.

Federal Communications Law Journal Seeks Articles

Greetings FCBA members! The *Federal Communications Law Journal* (FCLJ) is looking for article submissions for v.

55. The FCLJ covers a wide range of domestic and international communication and information issues, including telecommunications, the First Amendment, broadcasting, telephony, computers, intellectual property, communications and information policymaking, and related fields. We also welcome any suggestions about what you, the FCBA membership,

would like to see published. Please contact Leigh Erin Irons, Senior Articles Editor, with any questions or submissions at fclj@indiana.edu. Deadlines for submissions are as follows: Issue One-August 2, 2002; Issue Two-September 6, 2002; Issue Three-December 13, 2002. Thank you!

Calendar

August 10	Volunteer for Bread for the City's Legal Clinic
August 21	Pacific Northwest Chapter Brown Bag
August 25	Volunteer for Martha's Table or McKenna's Wagon
September TBA	FCBA Luncheon
September 19	Young Lawyers and Diversity Committee's Career Night
Oct. 31- Nov. 1	Communications Law 101, Washington, D.C.
November 21	13th Annual Charity Auction, Capital Hilton, Washington, D.C.
December 12-13	20th Annual PLI/FCBA Conference, Washington, D.C.
December 12	FCBA 16th Annual Chairman's Dinner, Washington, D.C.
Feb. 21-22, 2003	Annual National Telecommunications Moot Court Competition, Washington, D.C.
May 2-4	FCBA Annual Seminar at the Homestead Resort, Hot Springs, VA
June 16	Annual Honorable Robert E. Lee Memorial Golf Tournament, Bull Run, Haymarket, VA



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