

32nd Annual Chairman's Dinner on December 6

The 32nd Annual Chairman's Dinner will be held **Thursday, December 6** at the Washington Hilton, 1919 Connecticut Avenue, NW. The evening will begin with a reception at 5:45 p.m. followed by dinner at 7:15 p.m. in the International Ballroom and will be followed by remarks from FCC Chairman Ajit Pai. Sponsor's tables include a \$350.00 tax deductible donation to the FCBA Foundation.



FCC Chairman Ajit Pai

Chairman's Dinner without the involvement of the FCBA. Some agencies, departments and branches of the Federal Government, however, apply additional stipulations above the regulations issued by the Office of Government Ethics. Individuals who have signed the Administration's Ethics pledge cannot accept invitations from most registered lobbying organizations or registered lobbyists. While this event has qualified as a widely-attended-

gathering in previous years, each FCC employee is required to obtain individual ethics clearance based on matters they are working on within the Commission. Employees of the Commerce Department are required to obtain individual ethics clearance through the Department's Office of General Counsel. Invitations to Members of Congress, Congressional Staff, and employees of the Department of State must be issued by the FCBA. Contact the FCBA for additional information.

Requests for invitations to be sent from the FCBA must be emailed to kerry@fcba.org by Monday, November 19. Those invitees will be placed at the discretion of the FCBA.

Please use the registration form on [page 15](#) to order tables or individual tickets.

INVITING GOVERNMENT GUESTS

Pursuant to the Office of Government Ethics regulation on widely-attended gatherings (5 C.F.R. 2635.204(g)(2)), the Chairman's Dinner appears to qualify as a widely attended gathering. The value of an individual ticket to the dinner is \$315.00. Most employees of the Federal Communications Commission may be directly invited to attend the dinner as guests of individuals and organizations purchasing tables or tickets. In most cases, individuals and organizations may issue invitations to the

Thursday, December 6 – Friday, December 7 PLI/FCBA 36th Annual Institute on Telecommunications Policy & Regulation

Please join the Practising Law Institute and the FCBA at its co-sponsored program, "**36th Institute on Telecommunications Policy and Regulation.**" This year's Institute will be held on **December 6-7**, at the Washington Hilton, 1919 Connecticut Avenue, NW, Washington, DC. **Scott D. Delacourt, Michele C. Farquhar,** and **Bryan N. Tramont** will serve as Institute Co-Chairs. In addition, the program will include featured speakers from the FCC,

including FCC Commissioners and Bureau Chiefs, and numerous FCBA members will moderate or participate on the various program segments.

A registration form for the 1½ day seminar is on [page 16](#). As noted, a 10% registration fee discount is available to FCBA members.

Upcoming Key Events

Homeland Security and Emergency Communications Committee CLE Seminar

Date/Time: Wednesday, November 7, 12:00 – 2:15 p.m.
Location: Arnold & Porter, 601 Massachusetts Avenue, NW

Topic: Coping with Carpenter: The Fourth Amendment Meets the 21st Century

▶ SEE PAGE 3

Legislative / Privacy & Data Security CLE Seminar

Date/Time: Thursday, November 15, 3:00 – 5:15 p.m.

Location: Drinker Biddle & Reath LLP, 1500 K Street, NW

Topic: The Evolving Privacy Landscape: The Next Steps on the Federal Front

▶ SEE PAGE 3

Wireless Committee CLE Seminar

Date/Time: Monday, November 19, 4:00 – 6:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW

Topic: 3.5 GHz CBRS "Innovation Band" – Ready for Launch

▶ SEE PAGE 4

Intellectual Property and Mass Media Committees CLE Seminar

Date/Time: Wednesday, November 28, 6:00 – 8:15 p.m.

Location: Wilkinson Barker Knauer, LLP, 1800 M Street, Suite 800N, NW

Topic: What You Need to Know about Music Licensing

▶ SEE PAGE 5

Sign Up to Receive Committee and Chapter Notices

If you would like to sign up for or update the committee(s)/chapter(s) you are on, fill out the form on [page 18](#) of this newsletter and send it to the FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036, fax: 202-293-4317, or email: elizabeth@fcba.org.

PRESIDENT'S Message

DEAR FELLOW FCBA MEMBERS:

Well, we've hit the clubhouse turn for 2018-2019, so I thought I would reclaim the column to note some of the highlights thus far, and discuss what's coming up in the next few months.



First, thanks to the Herculean efforts of our Executive Committee (Natalie Roisman and John Branscome), the newly-formed *ad hoc* Consumer Protection Committee (Svetlana Gans, Michelle Rosenthal, Mark Brennan and Aaron Burstein), and our dedicated FCBA staff led by Kerry Loughney, the FCBA played host to newly-minted FTC Commissioner Slaughter and Commissioner Wilson on October 23rd. Also in attendance were several staff members from the other FTC Commissioner offices and Bureaus. The Reception serves as the first step to respond to a frequent suggestion received during the 2016 Membership Survey, i.e., that the FCBA take steps to provide value to members that have privacy and consumer protection-related practices before the FTC. Those in attendance also learned of the upcoming planned events for the Privacy and Data Security and the Consumer Protection Committees, including the Privacy Committee's CLE on November 15th on the Evolving Privacy Landscape, and the December 4th Brown Bag Lunch hosted by the Consumer Protection Committee.

By the time this column hits the streets, the Charity Auction will have already occurred, but the tremendous work of the Young Lawyers Committee – led by Rachel Nemeth and Thom Parisi – and their volunteers will have most certainly have raised significant funds for the two beneficiaries – New Endeavors by Women and the FCBA Foundation. The Auction Committee starts its work in the Spring when it reviews beneficiary applications, and works tirelessly through the summer and fall to organize and run one of the FCBA's premier events.

Our other premier event is just a month away. On December 6th, we will “all” gather at the Washington Hilton for the 32nd Annual Chairman's Dinner. As always, we hope that you can attend, and that we can keep the program running along without much delay. I have authorized by the Solar Federation to play a sampling of Rush's early work should we run into any problems with folks not taking their seats.

Finally, I want to put the call out again for the FCBA's “Speakers Bureau” list for CLEs and other chapter and committee programming. The goal of an inclusive FCBA can only be reached if we continuously provide opportunities for all FCBA members, including those with diverse backgrounds, to participate in our programming. Please feel free to forward your name to me or Kerry Loughney if you wish to be included on the list, and we will be sharing the names with the substantive committees on a rolling basis.

CONTINUED ON PAGE 12 ►



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

© copyright 2018
1020 19th Street, NW
Suite 325
Washington, DC 20036-6101

Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org
Website: <http://www.fcba.org>
Twitter: @FCBALaw
Facebook: **Federal
Communications Bar
Association - FCBA**

OFFICERS

Lee G. Petro
President

Barry J. Ohlson
Assistant Treasurer

Joshua S. Turner
President-Elect

Anna Gomez
Secretary

Natalie G. Roisman
Treasurer

Megan Anne Stull
Assistant Secretary

EXECUTIVE COMMITTEE

John B. Branscome
Karen Brinkmann
Rudy N. Brioché
Russell P. Hanser
Diane Griffin Holland

Julie M. Kearney
Kathleen A. Kirby
Roger C. Sherman
Angela M. Simpson
Krista Witanowski

CHAPTER REPRESENTATIVES

Timothy G. Nelson
Robyn R. Polashuk

DELEGATE TO THE AMERICAN BAR ASSOCIATION

M. Anne Swanson

YOUNG LAWYERS REPRESENTATIVE

C. Sean Spivey

FCBA STAFF

Kerry K. Loughney, Executive Director (kerry@fcba.org)
Janeen T. Wynn, Senior Manager, Events & Special Projects (janeen@fcba.org)
Wendy Jo Parish, Bookkeeper (wendy@fcba.org)
Elizabeth Hagerty, Member Services Administrator (elizabeth@fcba.org)

Editor – Kerry Loughney

Photographer – Mark Van Bergh www.markvanbergh.com



Website: <http://www.fcba.org/foundation>

OFFICERS

Johanna Rose Thomas
Rebecca Murphy Thompson
Co-Chairs

TRUSTEES

Scott K. Bergmann
Megan Brown
Justin L. Faulb
Darah Smith Franklin
Jordan B. Goldstein

Patrick R. Halley
Aspasia A. Paroutsas
Thomas C. Power
Joy M. Ragsdale
Davina S. Sashkin

EXECUTIVE COMMITTEE LIAISON

Joshua S. Turner

Coping with Carpenter: The Fourth Amendment Meets the 21st Century Wednesday, November 7, 12:00 – 2:15 p.m.

The FCBA Homeland Security and Emergency Communications Committee will sponsor a CLE on **Wednesday, November 7** from **12:00 – 2:15 p.m.** entitled “Coping with *Carpenter*: The Fourth Amendment Meets the 21st Century.” This program will be held at Arnold & Porter, 601 Massachusetts Avenue, NW.

This CLE will examine how the Supreme Court’s Ruling in *Carpenter v. US* Impacted Communications Privacy, Service Providers and Law Enforcement.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Agenda

12:00 – 12:05 p.m.
WELCOME AND INTRODUCTIONS

12:05 – 1:20 p.m.
PANEL 1: BACKGROUND AND HOLDINGS

- 4th Amendment Protections and Probable Cause Warrants
- Third Party Doctrine Exception
- Reasonable Cause Orders under 18USC2703(d)
- Collection of Cell Site Location Information (CSLI) and identifiable Patterns of Life
- Carpenter - Majority
- Carpenter - Dissents
- Carpenter - What was left open

1:20 – 1:30 p.m.
BREAK

1:30 – 2:15 p.m.

PANEL 2: IMPLICATIONS OF CARPENTER TO

- Surveillance in law enforcement investigations
- Surveillance in intelligence investigations
- Impact on collection of location information not specifically at issue in the case
- Impact on collection of other communications data
- Access to DNA, political, health, shopping and other personal and family information stored by carriers, social media services, websites and other service providers
- What’s next in re Liberty v Security?

Moderator:

Joel Margolis, General Counsel and Executive Vice President of Government Affairs, Subsentio

Panelists:

Allan Johnson, Assistant Vice President & Senior Legal Counsel, AT&T

Nathan Judish, Senior Counsel, Computer Crime, Department of Justice
Jumana Musa, Director, Fourth Amendment Center, National Association of Criminal Defense Lawyers

Greg Nojeim, Senior Counsel & Director of Freedom, Security and Technology Project, Center for Democracy & Technology

Thursday, November 15, 3:00 – 5:15 p.m. The Evolving Privacy Landscape: The Next Steps on the Federal Front

The FCBA **Legislative and Privacy and Data Security Committees** will sponsor a CLE on **Thursday, November 15** from **3:00 – 5:15 p.m.** entitled “The Evolving Privacy Landscape: The Next Steps on the Federal Front.” This program will be held at Drinker Biddle & Reath LLP, 1500 K Street, NW.

Following the implementation of GDPR and the newly-minted California privacy law set to take effect in 2020, the federal stage is set for action on privacy, or is it? Panelists will provide an overview of recent changes in privacy regimes and laws and discuss current legislative and regulatory efforts to develop a federal privacy framework that can garner support from a wide range of stakeholders, including consumers, edge providers, and communications companies.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Agenda

3:00 – 3:05 p.m.
WELCOME AND INTRODUCTIONS

Laura Phillips, Partner, Drinker Biddle & Reath LLP and Co-Chair, FCBA Privacy and Data Security Committee

3:05 – 4:05 p.m.
INDUSTRY PERSPECTIVES

Panelists will describe the current privacy framework in the United States, as compared to the GDPR and California’s new privacy law, including interpretation challenges during the initial phases of implementation. Panelists will also describe recent efforts by industry and other stakeholders to create a national U.S. privacy framework.

Moderator:

Svetlana Gans, Vice President and Associate General Counsel, NCTA – The Internet & Television Association and Co-Chair, Privacy and Data Security Committee

Speakers:

Jordan Crenshaw, Assistant Policy Counsel, Chamber Technology Engagement Center, U.S. Chamber of Commerce

Peter Blenkinsop, Partner, Drinker Biddle & Reath LLP

Allie Bohm, Policy Counsel, Public Knowledge

Brian Scarpelli, Senior Global Policy Counsel, ACT | The App Association

CONTINUED ON NEXT PAGE ►

NOVEMBER 15 CLE

CONTINUED FROM PAGE 3

4:05 – 4:15 p.m.

BREAK

4:15 – 5:15 p.m.

GOVERNMENT PERSPECTIVES

This panel will include Capitol Hill, NTIA (National Telecommunications and Information Administration), and the FTC (Federal Trade Commission) staff who will discuss legislative and regulatory efforts to establish a national federal privacy regime. The panel will also summarize the current ongoing FTC 21st Century Competition and Consumer Protection hearings' examination of privacy and data security issues.

Moderator:

Greg Guice, Senior Counsel, Akin Gump Strauss Hauer & Feld LLP and Co-Chair, FCBA Legislative Committee

Speakers:

Dr. Travis Hall, Policy Specialist, NTIA
Laura Riposo VanDruff, Assistant Director, Division of Privacy and Identity Protection, Federal Trade Commission

Lisa Goldman, Counsel, Subcommittee on Digital Commerce and Consumer Protection, House Energy & Commerce Committee

Jason Van Beek, Office of Chairman Thune, U.S. Senate Commerce Committee

Monday, November 19, 4:00 – 6:15 p.m. 3.5 GHz CBRS “Innovation Band” – Ready for Launch

The FCBA Wireless Telecommunications Committee will sponsor a CLE on Monday, November 19 from 4:00 – 6:15 p.m. entitled “3.5 GHz CBRS “Innovation Band” – Ready for Launch.” This program will be held at Wiley Rein LLP, 1776 K Street, NW.

The 3.5 GHz band is poised for deployment under the FCC's Consumer Broadband Radio Service (CBRS) rules, representing a new paradigm for government-commercial sharing. Specifically, the incumbent services (predominantly Navy radar operations) will continue to operate unabated even as commercial users are expected to enter the band in huge numbers, governed by automated Spectrum Access Systems (SASs) that will protect incumbents and facilitate sharing among commercial uses. This CLE program will explore the innovative regulatory framework and technologies that make sharing this band possible. It will also investigate the use cases that are feeding demand for access to this mid-band spectrum.

To register, [click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Agenda

4:00 – 5:05 p.m.

WELCOME AND INTRODUCTIONS

4:05 – 5:05 p.m.

THE MAKING OF AN “INNOVATION BAND”

The first panel will include a description of the three-tiered sharing framework for the 3.5 GHz band; the CBRS rules governing commercial use of the band – both in lightly-licensed “General Authorized Access” (GAA) and “Priority Access License” (PAL) modes; and the timeline moving forward. It will feature a conversation on how diverse parties within government (including the FCC, NTIA and Department of Defense), as well as industry, reached consensus on a path forward for this band.

Moderator:

Derek Khlopin, Senior Advisor to the Assistant Secretary, NTIA and Co-Chair, FCBA Wireless Telecommunications Committee

Speakers:

Mark Gibson, Director, Business Development, Comsearch

Jessica Greffenius, Wireless Telecommunications Bureau, Federal Communications Commission
Thomas Taylor, Deputy Director for Policy, Technology & EMS Operations for the Spectrum Policy and International Engagement Directorate, Office of the Department of Defense (DoD) Chief Information Officer (CIO)

5:05 – 5:15 p.m.

BREAK

5:15 – 6:15 p.m.

DIVERSE USES AND THE BUSINESS CASE FOR THE 3.5 GHZ BAND

The second panel will continue the discussion, moving from the legal and policy framework for the band, to a focus on the market-drivers and use cases that are spurring real-world trials and deployment in the 3.5 GHz band. We will discuss the expected first deployments in the band, starting with GAA services expected later this year, followed by licensed operations, which require an FCC auction likely to occur in 2020.

Moderator:

Jeffrey Marks, Head of Regulatory Affairs, North America, Nokia and Co-Chair, FCBA Wireless Telecommunications Committee

Speakers:

Claude Aiken, President and CEO, Wireless Internet Service Providers Association (WISPA)

CONTINUED ON NEXT PAGE ►

Committee and Chapter Sign-Up

If you would like to sign up for or update the committee(s)/chapter(s) you are on, fill out the form on [page 18](#) of this newsletter or [click here](#) and send it back to the FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036, fax: 202-293-4317, or email: elizabeth@fcba.org.

NOVEMBER 19 CLE

CONTINUED FROM PAGE 4

Andrew Clegg, Spectrum Engineering Lead, Google

Michael Fitzpatrick, Head of Regulatory Advocacy, Global Law & Policy, GE

Patrick Welsh, Assistant Vice President of Federal Regulatory, Verizon

Wednesday, November 28, 6:00 – 8:15 p.m. What You Need to Know about Music Licensing

The FCBA **Intellectual Property and Mass Media Committees** will sponsor a CLE on **Wednesday, November 28** from **6:00 – 8:15 p.m.** entitled “What You Need to Know about Music Licensing.” This program will be held at Wilkinson Barker Knauer, LLP, 1800 M Street, Suite 800N, NW.

Join us for an informative discussion that will move from Music Rights 101 to some of today’s Hot Topics, including the Music Modernization Act, potential future Congressional copyright reform, the DOJ review of the ASCAP and BMI consent decrees, the rise of new PROs, and the next Copyright Royalty Board proceeding.

To register, [click here](#) or go to the **FCBA Website – Calendar of Events** or use the form on [page 14](#).

Agenda

6:00 – 6:05 p.m.
WELCOME AND INTRODUCTIONS

6:05 – 7:05 p.m.
THE BASICS
What is the difference between a musical composition and a sound recording? What do ASCAP, BMI and SESAC do, and how are they different

from SoundExchange? How does my client get rights to use music on the air, on its website and in its mobile application, at station sponsored live events and in commercials? Can advertisers play a radio station at their business without any rights fees? How are the fees set for these different kinds of music uses? These and other basic questions about music rights will be set in this first panel.

Moderator:
Kathryne Dickerson, Special Counsel, Wiley Rein LLP

Speakers:
Karyn Ablin, Member, Fletcher, Heald & Hildreth, P.L.C.
Michelle Choe, Associate, Covington & Burling LLP

7:05 – 7:15 p.m.
BREAK

7:15 – 8:15 p.m.
THE HOT ISSUES
The Music Modernization Act, review of the ASCAP and BMI antitrust consent decrees, setting streaming royalties, the impact of new PROs, publisher withdrawals, ISP liability for illegal downloads, and the broadcast performance royalties are all topics that media companies are all talking about. What are these issues and how will they be resolved? These “hot” issues in music licensing, including legislative and Copyright Office review of these issues, will be discussed in this second panel.

Moderator:
David Oxenford, Partner, Wilkinson Barker Knauer, LLP

Speakers:
Cynthia Greer, Vice President and Assoc. General Counsel, Sirius XM
Greg Barnes, General Counsel and VP Government Affairs, Digital Media Association
Garrett Levin, Deputy General Counsel for Intellectual Property Law, National Association of Broadcasters
Richard Conlon, Chief Corporate Development Officer, Sound Exchange

Wednesday, December 12, 3:00 – 5:15 p.m. The 2018 ITU Plenipotentiary Conference: Results, Implications, and Next Steps

The FCBA **International Telecommunications Committee** will sponsor a CLE on **Wednesday, December 12** from **3:00 – 5:15 p.m.** entitled “The 2018 ITU Plenipotentiary Conference: Results, Implications, and Next Steps.” This program will be held at Sheppard Mullin, 2099 Pennsylvania Avenue, NW.

The 2018 International Telecommunication Union Plenipotentiary Conference will be held from October 29 to November 16, 2018 in Dubai, UAE. The conference will set the agenda and priorities for this important international regulatory body for the next four years, and could consider adoption of new resolutions or revisions to the ITU’s basic texts. Matters likely to be discussed at this conference will affect all segments of the Communications sector, including the wireless, wireline, satellite, broadcast, and Internet industries and could address issues like cybersecurity, data protection, closing the digital divide, and regulation of emergency technologies (e.g. Internet of Things and cloud services), as well as the rules and procedures governing the future activities of the ITU. At this CLE, experts representing the US government, communications industries, and consumer groups will discuss what happened at the conference, what it means for FCBA members, and what will come next.

To register, [click here](#) or go to the **FCBA Website – Calendar of Events** or use the form on [page 14](#).

CONTINUED ON NEXT PAGE ►

DECEMBER 12 CLE

CONTINUED FROM PAGE 5

Agenda

FEATURED REMARKS:

Robert Strayer, Deputy Assistant Secretary for Cyber and International Communications and Information Policy, United States Department of State

Moderator:

Ethan Lucarelli, Director, Regulatory and Public Policy, Inmarsat

Speakers:

Vernita Harris, Deputy Associate Administrator, Office of International Affairs (OIA), National Telecommunications and Information Administration (NTIA)

Gus Rossi, Global Policy Director, Public Knowledge

Jennifer Warren, Vice President, Technology Policy & Regulation, Lockheed Martin

Amy Alvarez, Assistant Vice President, International External & Regulatory Affairs, AT&T

Robert Pepper, Head, Global Connectivity and Technology Policy, Facebook (invited)

Tuesday, December 18, 12:00 – 2:15 p.m. Intercarrier Compensation Reforms on The Horizon

The FCBA **Wireline Committee** will sponsor a CLE on **Tuesday, December 18** from **12:00 – 2:15 p.m.** entitled Intercarrier Compensation Reforms on The Horizon. This program will be held at Wiley Rein LLP, 1776 K Street, NW.

The CLE will explore the current debates surrounding the FCC's rulemakings on intercarrier compensation ("ICC") that seek to (a) combat fraud and abuse; (b) explore whether the rules should be further modified for access stimulation traffic, and (c) ultimately transition to bill-

and-keep, which the FCC believes will provide the right incentives for efficient use of the nation's telephone system.

To register, click here or go to the FCBA Website – Calendar of Events or use the form on page 14.

Agenda

12:00 – 12:05 p.m.

WELCOME AND INTRODUCTIONS

12:05 – 1:05 p.m.

ELIMINATING ACCESS ARBITRAGE—WHAT'S AT STAKE AND WHAT SHOULD THE FCC DO?

This past summer the FCC received comments in its rulemaking proceeding, WC Docket No. 18-155, that proposes to update the ICC regime by eliminating access arbitration or financial incentives to engage in access stimulation. Access stimulation typically occurs when a local exchange carrier ("LEC") with relatively-high switched access rates enters into an arrangement to terminate calls—often in a remote area—for an entity with a high call volume operation, such as a chat line and "free" conference calls, collectively high call volume services. The competitive LECs that terminate the traffic assert that many of the tentative conclusions in the FCC's NPRM are not supported by record evidence that justifies eliminating the services and there are compelling reasons for the FCC not to take the actions it is proposing. This panel will examine the various forms of access stimulation in the marketplace, steps the FCC has taken, and explore whether the existing record supports the FCC's tentative conclusions that further ICC reforms are warranted.

Moderator:

Philip Macres, Principal, Klein Law Group, PLLC

Panelists:

David Carter, Member, Innovista Law PLLC, Outside Counsel for BTC, Inc. d/b/a Western Iowa Networks, Goldfield Access Network, Great Lakes

Communication Corporation, Northern Valley Communications, LLC, Louisa Communications, OmniTel Communications

Joe Cavender, Vice President & Assistant General Counsel, Federal Affairs, CenturyLink

Matthew Nodine, Assistant Vice President, Federal Regulatory, AT&T Services, Inc.

Mike Romano, Senior Vice President – Industry Affairs & Business Development, NTCA—The Rural Broadband Association

1:05 – 1:15 p.m.

BREAK

1:15 – 2:15 p.m.

REFORMING ICC FOR 8YY CALLS AND THE IMPACTS OF DOING SO

The FCC also recently received comments in a companion rulemaking proceeding, WC Docket No. 18-156, on whether it should modify the ICC regime for telephone calls made to toll free ("8YY") numbers. The FCC sought comment on possible reforms to the ICC regime for 8YY traffic to address concerns that the current regime incentivizes (a) originating carriers and intermediate providers to artificially inflate access charges billed to the interexchange carriers that provide 8YY services, and (b) bad actors to flood 8YY numbers with robocalls. This panel will discuss how the FCC could address such issues and the impact of such ICC reforms on originating carriers and consumers.

Moderator:

Joel Bernstein, Vice President, Regulatory and Public Policy, Somos, Inc.

Panelists:

David Aldworth, President, Teliix, Inc.
Colleen Boothby, Levine, Blazak, Block & Boothby LLP, Counsel for Ad Hoc Telecom Users Committee

Michael Jacobs, Vice President, Regulatory Affairs, ITTA - The Voice of America's Broadband Providers

Matthew Nodine, Assistant Vice President, Federal Regulatory, AT&T Services, Inc.

COMMITTEE AND CHAPTER *Events*

Consumer Protection Committee

Event: Brown Bag Lunch

Date/Time: Tuesday, December 4, 12:00 – 1:30 p.m.

Location: Wilkinson Barker Knauer, 1800 M Street, NW, Suite 800

Topic: Overview of FTC hearings on competition and consumer protection in the 21st century

Speakers: Maneesha Mithal (FTC), Bilal Sayyed (invited) (FTC). Moderated by Michelle Rosenthal (T-Mobile).

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

Diversity Committee

Event: Brown Bag Lunch co-hosted by the Young Lawyers Committee

Date/Time: Wednesday, November 28, 12:15 – 1:30 p.m.

Location: Wilkinson Barker Knauer, 1800 M Street, NW, Suite 800N

Topic: Hard to Ask (and Hard to Answer) Questions Part III – Continuing the Conversation. Join the Diversity and Young Lawyers Committees for a candid discussion around attorney work/life balance and other issues facing the communications bar today. Panelists will share their experiences and provide insights on balancing work obligations with volunteering and contributing to outside organizations, maintaining physical health, and nurturing skill sets to develop your own practice.

Speakers: To be announced. Moderated by James Park (Wilkinson Barker Knauer LLP).

For more information: Contact James Park (JPark@wbklaw.com) or Thom Parisi (Tparisi@cov.com).

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

FCC Enforcement Committee

Event: Brown Bag Lunch

Date/Time: Thursday, November 29, 12:15 – 1:30 p.m.

Location: USTelecom – The Broadband Association, 601 New Jersey Avenue, NW, Suite 600

Topic: EB Field – Signal Interference and Pirate Investigations

Speakers: Charles Cooper (FCC), Janet Moran (FCC)

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

Homeland Security and Emergency Communications Committee

Event: CLE Seminar

Date/Time: Wednesday, November 7, 12:00 – 2:15 p.m.

Location: Arnold & Porter, 601 Massachusetts Avenue, NW

Topic: Coping with Carpenter: The Fourth Amendment Meets the 21st Century

For more information: See [page 3](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Intellectual Property Committee

Event: CLE Seminar co-hosted by the Mass Media Committee

Date/Time: Wednesday, November 28, 6:00 – 8:15 p.m.

Location: Wilkinson Barker Knauer, LLP, 1800 M Street, Suite 800N, NW

Topic: What You Need to Know about Music Licensing

For more information: See [page 5](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

International Telecommunications Committee

Event: CLE Seminar

Date/Time: Wednesday, December 12, 3:00 – 5:15 p.m.

Location: Sheppard Mullin, 2099 Pennsylvania Avenue, NW

Topic: The 2018 ITU Plenipotentiary Conference: Results, Implications, and Next Steps

For more information: See [page 5](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Legislative Committee

Event: CLE Seminar co-hosted by the Privacy and Data Security Committee

Date/Time: Thursday, November 15, 3:00 – 5:15 p.m.

Location: Drinker Biddle & Reath LLP, 1500 K Street, NW

Topic: The Evolving Privacy Landscape: The Next Steps on the Federal Front

For more information: See [page 3](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Mass Media Committee

Event: CLE Seminar co-hosted by the Intellectual Property Committee

Date/Time: Wednesday, November 28, 6:00 – 8:15 p.m.

Location: Wilkinson Barker Knauer, LLP, 1800 M Street, Suite 800N, NW

Topic: What You Need to Know about Music Licensing

For more information: See [page 5](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Privacy and Data Security Committee

Event: CLE Seminar co-hosted by the Legislative Committee

Date/Time: Thursday, November 15, 3:00 – 5:15 p.m.

Location: Drinker Biddle & Reath LLP, 1500 K Street, NW

Topic: The Evolving Privacy Landscape: The Next Steps on the Federal Front

For more information: See [page 3](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Telehealth Committee

Event: Brown Bag Lunch

Date/Time: Monday, December 3, 12:15 – 1:30 p.m.

Location: Wilkinson Barker Knauer, LLP, 1800 M Street, NW, Suite 800N

Topic: The Business of Telehealth – Economic and Regulatory Challenges. Panel will provide a “real world” overview of the business of telehealth and how it functions in today’s regulatory climate. Panelists will discuss current issues and initiatives affecting the provision of telehealth services.

Speakers: Jared Carlson, Vice President Government Affairs, Ericsson; Luis Belen, CEO, The National Health IT Collaborative for the Underserved, Inc. (NHIT); Greg Godbout, Chief Business Development Advisor, The National Health IT Collaborative for the Underserved, Inc. (NHIT).

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

Wireless Telecommunications Committee

Event: Brown Bag Lunch

Date/Time: Wednesday, November 14, 12:15 – 1:30 p.m.

Location: DLA Piper LLP, 500 8th Street, NW, Conference Room 1 Red

Topic: Meet the Bureau Chief: Join us for a lunch discussion with Don Stockdale and the Wireless Bureau’s Leadership Team to discuss recent FCC actions on wireless issues and to learn about priorities for the coming year.

Speakers: Don Stockdale, FCC WTB Chief, and members of the FCC WTB leadership team

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

Event: CLE Seminar

Date/Time: Monday, November 19, 4:00 – 6:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW

CONTINUED ON NEXT PAGE ►

COMMITTEE AND CHAPTER *Events*

WIRELESS TELECOM

CONTINUED FROM PAGE 7

Topic: 3.5 GHz CBRS “Innovation Band” – Ready for Launch

For more information: See [page 4](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Wireline Committee

Event: CLE Seminar

Date/Time: Tuesday, December 18, 12:00 – 2:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW
Topic: Intercarrier Compensation Reforms on The Horizon

For more information: See [page 6](#).

To register: [Click here](#) or go to the [FCBA Website – Calendar of Events](#) or use the form on [page 14](#).

Young Lawyers Committee

Event: Post-Charity Auction Thank You Happy Hour

Date/Time: Friday, November 30, 6:00 – 7:30 p.m.

Location: Iron Horse, 507 7th Street, NW
Come celebrate all the hard work of putting on another successful charity auction that helped raise money for another deserving DC charity. Join your friends and colleagues to raise a glass and relax at this informal gathering. We look forward to catching up with you then. Friends and family welcome!

For more information: Contact Thom Parisi (Tparisi@cov.com).

Event: Brown Bag Lunch co-hosted by the Diversity Committee

Date/Time: Wednesday, November 28, 12:15 – 1:30 p.m.

Location: Wilkinson Barker Knauer, 1800 M Street, NW, Suite 800N

Topic: Hard to Ask (and Hard to Answer) Questions Part III – Continuing the Conversation. Join the Diversity and Young Lawyers Committees for a candid discussion around attorney work/life balance and other issues facing the communications bar today. Panelists will share their experiences and provide insights on balancing work obligations with volunteering and contributing to outside organizations, maintaining physical health, and nurturing skill sets to develop your own practice.

Speakers: To be announced. Moderated by James Park (Wilkinson Barker Knauer LLP).

For more information: Contact James Park (JPark@wbkllaw.com) or Thom Parisi (Tparisi@cov.com).

To RSVP: [Click here](#) or go to the [FCBA Website – Calendar of Events](#).

Texas Chapter

Event: Communications / Administrative Law Continuing Legal Education (CLE) Program

Date/Time: Monday, December 3, 12:00 – 1:00 p.m.

Location: Austin Bar Association, 816 Congress Avenue, Suite 700, Austin, TX 78701

Topic: Robocalling Wars: Battling the Bad Guys Through Laws, Collaboration, Technology and Enforcement

Speakers: Robert McCausland, Vice President of Regulatory and Governmental Affairs for West Telecom Services

To RSVP: RSVP to matthew@mfoosterlaw.com.

2019 FCBA Annual Seminar to be held at The Omni Homestead Resort May 17 – 19 ~ SAVE THE DATES!



The Omni Homestead Resort

Mark your calendars now and make plans to join your colleagues at The Omni Homestead Resort for the 2019 FCBA Annual Seminar on May 17-19. Watch for program details in the coming months.

The Omni Homestead Resort is nestled in the Allegheny Mountains and is known for its Southern hospitality and charm. The resort has been designated a National Historic Landmark and makes up most of the city of Hot Springs, Virginia. Located across more than 2,000 acres of scenic Virginia landscape, the resort provides timeless comforts and access to an exciting array of activities no matter the season of your stay.

Two major hot springs flow onto the property, featuring a full-service spa and offering you the opportunity to take in the mineral waters just as President Thomas Jefferson did in 1818. The two-acre water park, fueled by crystal-clear springs, features two water slides, a lazy river, a water play zone, and a sandy beach for the kids, along with a cozy whirlpool and private cabanas.

There are so many activities for guests to enjoy at the Hot Springs resort: golf, horseback riding, fly fishing, paintballing, zip lining, falconry, shopping, and more! Following a day of fun, fill up at one of our thoughtfully designed restaurants before enjoying a night of bliss in our elegant accommodations.

To learn more about The Omni Homestead and its many amenities and activities, go to: <https://www.omnihotels.com/hotels/homestead-virginia>.

We hope you join us for the 2019 FCBA Annual Seminar!

Join us this year to find out why the Institute is one of the best telecommunications conferences in the country.

Please note the following schedule is subject to change. Please visit www.pli.edu/telecom for up-to-the-date schedule and faculty information.

Program Highlights Include:

- **Featured Speakers:** FCC Commissioners Brendan T. Carr, Michael O’Rielly, and Jessica Rosenworcel, FCC General Counsel Thomas M. Johnson, Bureau Chiefs, and senior government officials
- **Recent Developments and a Look Ahead:**
 - Examine the latest developments in wireline and wireless industries
 - Learn about cutting-edge issues on the legislative front from current Capitol Hill staffers
 - New topics include:
 - ▶ Consumer telecommunications issues
 - ▶ New technologies in telecommunications
 - ▶ Satellites
 - ▶ Connected cars
 - ▶ Telehealth
- **Networking Luncheon**

Program Schedule – Day 1

**9:00 a.m.
OPENING REMARKS**

**9:05 a.m.
CONSUMER DEVELOPMENTS IN THE TELECOMMUNICATIONS INDUSTRY**

- TCPA updates
- Recent developments regarding robocalls
- FCC activity in the privacy and cybersecurity space

**10:05 a.m.
FEATURED SPEAKER:
COMMISSIONER MICHAEL O’RIELLY**

- Hot topics currently pending before the Commission
 - The Commissioners’ policy priorities
 - The FCC’s 2019 agenda
-

**10:30 a.m.
NETWORKING BREAK**

**10:45 a.m.
HOT TOPICS FROM THE ADMINISTRATION’S PERSPECTIVE**

- Areas of bipartisan agreement following the 2018 mid-term elections
 - Insights into the administration’s regulatory approach towards the tech and communications sector
 - What’s next on privacy, antitrust, and ITU reform?
 - Rethinking regulatory regimes for emerging technologies
 - What actions on the international stage (esp Trade, Immigration, Privacy) mean for the domestic TMT sector
-

**11:30 a.m.
HOT TOPICS IN SATELLITE**

- Developments in satellite technology
 - Smallsat opportunities
-

**12:00 p.m.
LUNCHEON**

**12:30 p.m.
FEATURED SPEAKER**

**1:15 p.m.
HOT TOPICS AND ISSUES IN SPECTRUM AND WIRELESS TELECOM POLICY**

- Progress on 5G wireless technologies and service and use cases; spectrum use and sharing, mid-band maneuvers
- US WRC 19 preparation and global spectrum matters, including international spectrum allocations,
- Wireless infrastructure and challenges to small cell and 5G deployment
- Repacking and other lessons from the broadcast incentive auction
- Reality and hype on FirstNet
- What’s next for wireless net neutrality

**2:15 p.m.
HOT TOPICS FROM A CAPITOL HILL PERSPECTIVE**

- Legislative highlights of 2018
 - A 2019 legislative preview
-

**3:00 p.m.
NETWORKING BREAK**

**3:15 p.m.
UPDATES IN TELEHEALTH**

- Ongoing FCC work regarding telehealth services and accompanying challenges
 - Connected Care Pilot Program
-

**3:45 p.m.
HOT TOPICS IN MEDIA**

- Trends in program distribution across platforms
 - Media ownership policies, mergers, and other regulatory changes
 - Outlook for the transition to next-gen broadcasting/ATSC 3.0
 - New services over broadcast platforms
-

**4:45 p.m.
FEATURED SPEAKER:
COMMISSIONER BRENDAN T. CARR**

- General insights on the second year of the administration, including process and regulatory reform
 - Specific areas of interest to Commissioner Carr, and where he is playing a leading role
 - What’s ahead for 2019, and where the FCC should be focusing its efforts
-

**5:15 p.m.
ADJOURN**

Program Schedule – Day 2

**9:00 a.m.
FEATURED SPEAKER
David J. Redl, Assistant Secretary for Communications and Information and Administrator, NTIA (Invited)**

**9:30 a.m.
HOT TOPICS AND ISSUES IN WIRELINE TELECOM POLICY**

- Updates with regard to net neutrality including state legislative efforts
- Infrastructure issues locally and regionally

CONTINUED ON NEXT PAGE ►

- Data collection in broadband nationwide and incentivizing investment

10:30 a.m. NETWORKING BREAK

10:45 a.m. FEATURED SPEAKER

11:15 a.m. INSIGHTS ON THE AUTONOMOUS VEHICLE FUTURE

- Opportunities and challenges for telecommunications companies
- Data collection and pressure for higher bandwidth
- Content delivery methods

11:45 a.m. THE NEXT FRONTIER: NEW TECHNOLOGIES IN TELECOMMUNICATIONS

- What's next in telecommunications technology? Hear about how innovations will present new legal challenges.

12:30 p.m. ADJOURN

JOB Bank

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, email the necessary information to kerry@fcba.org. Clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may specify to the FCBA 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 (found by [clicking here](#) or going to the FCBA website under the Products, Publications, and Services link) and email or fax the form and the appropriate payment to Kerry Loughney (202-293-4317, kerry@fcba.org). In addition, please email the text of the ad to kerry@fcba.org. Listings and payment received by the 20th day of each month will appear in the next month's newsletter. If possible, ads should not exceed 75 words. Please call the FCBA questions. (No headhunters please).

LAW FIRM/CORPORATE

11.18.1

Associate – Klein Law Group PLLC, a DC-based telecom and litigation boutique, is seeking an associate to join our growing national practice. Great full or part-time opportunity for intelligent, motivated individual to work with some of the top wireline, cable, wireless and IP providers, in a collegial environment. While regulatory or litigation experience is preferable, intelligence, determination, analytical ability, attention to detail, and superior writing skills are of paramount importance. Given national practice scope, some flexibility concerning specific bar membership and location requirements. Please send resume and writing sample to Admin@KleinLawpllc.com.

2018 FCBA Membership Directories

The FCBA 2018 Membership Directories were recently mailed to members. Please use the form on [page 17](#) to order additional copies.

Friday, February 15 – Saturday, February 16 National Telecommunications and Technology Moot Court Competition

The Law & Technology Institute and the Moot Court Association of the Catholic University of America, Columbus School of Law, together with the Federal Communication Bar Association (FCBA) are pleased to announce that the **25th Annual National Telecommunications and Technology Moot Court Competition** will be held on **February 15-16, 2019**, at the Columbus School of Law in Washington, DC.

The National Telecommunications and Technology Moot Court Competition provides students the opportunity to argue before private and government practitioners in the communications

field. Past judges have included former FCC Commissioner Kathleen Abernathy, Chief of Staff to FCC Chairman Ajit Pai, Matthew Berry, First Amendment advocate Robert Corn-Revere, former FCBA President Christopher Wright, and Google Director of Communications Law and former FCC General Counsel Austin Schlick.

Each year, the competition problem, which is written by members of the FCBA, is “ripped from the headlines” of current technology, intellectual property, and telecommunications issues. Past topics have included potentially illegal jamming of unmanned aerial

vehicles, consumer privacy of personal information, copyright protection of pre-1972 musical performances, and enforcement of broadcast indecency standards.

The registration deadline is Monday, December 3, 2018. Please note that registration is limited, so your prompt response is greatly appreciated. We expect the competition problem to be released in mid-December 2018.

For more information and to register, please visit <http://www.law.edu/mootcourt/National-Telecomm-competition.cfm>.



FCBA New England Co-Chair Greg Kennan (right) giving Boston University College of Communication outgoing Dean Tom Fiedler (left) a gift to honor his years of support for the New England Chapter



First panel participants Senior Attorney Ben Rossen of the Federal Trade Commission's Division of Privacy and Identity Protection (left) and Professor Tim Edgar from Brown University (right)

New England Chapter "Regulation of Big Data" Program on September 27

The New England Chapter held its annual fall program in association with the Boston University College of Communication on September 27, 2018. Entitled "Regulation of Big Data," the program explored the legal and regulatory issues surrounding the collection, safeguarding, and use of Big Data by telecommunications companies, large edge providers (such as Amazon, Facebook, Google), and smaller providers.

The first panel featured Prof. Timothy Edgar of the Brown University Watson Institute for International and Public Affairs and Senior Attorney Ben Rossen of the Federal Trade Commission's Division of Privacy and Identity Protection, and was moderated by Co-Chair Greg Kennan. The panelists discussed the seemingly contradictory trends of deregulation in the telecommunications field and of increasing regulation and calls for more regulation of Big Data and those who collect and use it. The panel also discussed the likely fallout in the U.S. from the European General Data Protection Regulation (GDPR) resulting from multinational companies' need to implement uniform operations and



FCBA New England leadership and panelists following "Regulation of Big Data" panel (from left to right): Sarah Aceves (Chapter co-chair); Rob Munnelly (Chapter co-chair); Professor Tim Edgar of Brown University (speaker on first panel); Greg Kennan (Chapter co-chair and moderator of first panel); Jackie McCarthy (Chapter co-chair and speaker on second panel); Tim Wilkerson (speaker on second panel); David Bogan (Chapter co-chair)

protocols over all their activities, wherever located; the FTC's activities, including a series of public hearings regarding data collection, privacy, and security; and the national security implications of mass surveillance, cybersecurity, and actual or potential access to collected data by governmental actors.

Commissioner Karen Charles Peterson of the Massachusetts Department of Telecommunications and Cable moderated the second panel with Jackie McCarthy, Assistant Vice President, CTIA (and Chapter Co-Chair); Alex Kingsbury,

Boston Globe Deputy Editor; Tim Wilkerson, General Counsel of the New England Cable and Telecommunications Association; and David Kovar, Founder and CTO of Unmanned Robotics Systems Analysis, Inc. as panelists. The wide-ranging discussion started with the questions what exactly is privacy, why consumers do not have a particularly good understanding of what constitutes privacy, and what are the roles of regulators and the private sector in educating them. Also discussed were the amount of effort industry was devoting to "net neutrality"

CONTINUED ON NEXT PAGE ►

NEW ENGLAND

CONTINUED FROM PAGE 11

and privacy issues; how the speed and capacity of wireless broadband networks will fuel opportunities for cutting-edge industries to leverage big data, such as for self-driving cars and drones; and regulatory issues that arise as new technology is developed and utilized, including the need to distinguish for security purposes bona fide commercial drones from drones used as part of a terrorist attack.

The Chapter expresses its gratitude to retiring College of Communication Dean Tom Fiedler for his years of friendship and hospitality to the Chapter, and to reception sponsors Granite Telecommunications, Locke Lord LLP, and Verrill Dana LLP.

Texas Chapter CLE Program on October 24

The Texas Chapter of the FCBA hosted a one-hour program, "On the Road Again: Hot Topics in Rights-of-Way Use for Telecommunications Entities." Thirty people attended including FCBA members and members of the Texas PUC Staff.

Amy Leila (Saberian) Prueger, of the Austin law firm Enoch Kever PLLC,

served as moderator for a panel consisting of Alfred Herrera of Herrera Law & Associates PLLC; Katherine Mudge of Enoch Kever PLLC; and David Tate, Vice President and Associate General Counsel of AT&T.

Ms. Mudge and Mr. Herrera represented competing points of view concerning current litigation and Texas PUC proceedings which involve interpretation and implementation of the 2017 Texas statute governing compensation and permitting of small cell technology deployments in municipal rights-of-way, Texas Local Government Code Chapter 284. Katherine Mudge explained that this new chapter creates a separate statewide regime for "network providers" seeking to install nodes and related devices in public ROW. She pointed out that Chapter 284 specifically does not change Texas law concerning ROW use and compensation to be paid by "Certificated Telecommunications Providers (CTPs)." According to Ms. Mudge, if a company is a Texas CTP and not a network provider, then Texas Local Government Code Chapter 283 (and not Chapter 284) applies to ROW use and compensation. David Tate of AT&T noted that new Chapter 284 makes no mention of Chapter 283, and that was an intentional omission.

Alfred Herrera contended that the services and/or facilities provided by a company

should dictate whether Chapter 283 or Chapter 284 applies and that the inquiry does not end by simply concluding that an entity is a CTP. He observed that some Texas cities have developed questionnaires for applicants for ROW permitting in order to determine the applicable compensation scheme for the particular planned project. Mr. Herrera also pointed out that some certificated companies don't pay any compensation at all for ROW use by fiber optic cable not used to provision telephone access lines. Amy Prueger observed that Texas cities have different views about compensation due from companies that plan to install fiber optic cable.

After this lively debate, Ms. Mudge provided the status of the pending ExteNet case before the Texas PUC (Docket 45280). Mr. Tate provided an update on the pending litigation concerning Chapter 284 in State and Federal courts. In the brief time remaining, Katherine Mudge introduced two FCC proceedings concerning small cell technology deployment: the FCC's Third Report and Order in the Matter of Accelerating Wireless and Deployment (September 2018) and the activities of the Broadband Deployment Advisory Committee. The panel ended with discussion as to whether the Third Report and Order will preempt Chapter 284; Mr. Tate noted that Chapter 284 is state law until a court says it is preempted.

PRESIDENT'S MESSAGE

CONTINUED FROM PAGE 2

Please do not hesitate to reach out to me with your questions, comments, and recommendations, at lee.petro@pillsburylaw.com, or 202.663.8113.

P.S. – a big welcome to our newest member of the FCBA staff – Elizabeth Hagerty – who undoubtedly will learn much from the hardest working staff in Washington.

Lee G. Petro
FCBA President, 2018-2019

Volunteers Needed for Young Lawyers Committee Law School Outreach Program

It is time once again for the FCBA Young Lawyers Committee's annual law school outreach initiative. The goal of the initiative is to reach out to law students and introduce them to the FCBA and careers in communications law through sponsoring career panels at various law schools. We are currently looking for volunteers to speak on panels and help organize the events.

Please contact **Bill Durdach** (williamdurdach@gmail.com), **Tim Doughty** (timothy.doughty@gmail.com), and **Lauren McCarty** (laurenmcct@gmail.com) if you would like to help with this outreach effort and make 2018 another successful year for the program!



Rebecca Murphy
Thompson



Johanna Thomas

A Message from the FCBA Foundation Board of Directors

DEAR FCBA MEMBERS,

In November, we have a day of giving thanks, followed by Black Friday and Cyber Monday for “getting deals.” In recent years, on the Tuesday after Thanksgiving, there has also been a focus on celebrating generosity and giving back. “Giving Tuesday” is November 27, and as we enter the charitable season, the FCBA Foundation Board of Trustees invites you and your organization to consider the programs of the Foundation in your end-of-year giving. If you would like to make a donation to the FCBA Foundation, please [click here to donate online](#) or [click here to download the donation form](#).

All FCBA members belong to the FCBA Foundation, and many of you donate your time, talents, and financial support to the Foundation’s programs throughout the year. This past fiscal year, we awarded four-year college scholarships to 26 deserving Washington, DC high school graduates; stipends to 32 law school students who interned in public service positions this past summer; and scholarships to seven law school students for the 2018-2019 school year. More details regarding the Foundation’s programs can be found in our [FY2018 Annual Report](#).

As in the past, the Foundation will recognize donors throughout the year, and each of our donors will be listed in our Annual Report. To encourage members within organizations to work

together to support our programs, the FCBA Foundation will recognize gifts by individuals or groups that choose to combine their contributions (for example, partners and associates in the same firm, employees of the same company, or old friends remembering a colleague) while also crediting the individual donors for their contributions.

Named Scholarships. Each year, we specially recognize those organizations that have funded Foundation scholarships in amounts of \$10,000 or more through our Named Scholarships program. Named Scholarship donors are acknowledged at our Annual Meeting luncheon in June and at the Chairman’s dinner in December, as well as in our Annual Report and newsletter. For FY2018, our Named Scholarship donors included 21st Century Fox; AT&T; Comcast NBCUniversal; Consumer Technology Association (CTA)TM; Cox Enterprises, Inc.; CTIA; DISH Network; Google; National Association of Broadcasters; NCTA – The Internet & Television Association; Sidley Austin and the Sidley Austin Foundation; Sinclair Broadcasting Group; T-Mobile US, Inc.; The Karen Kincaid Scholarship Fund sponsored by Wiley Rein and Karen’s Friends; The Young Lawyers and Charity Auction; Verizon; and Wilkinson Barker Knauer, LLP.

Honorary Degrees. Organizations donating between \$2,000 and \$9,999 will be recognized with the following “honorary degrees”:

Masters of Media	\$5,000 - \$9,999
Bachelors of Broadband	\$2,000 - \$4,999

In FY2018, Mintz Levin Communications Section, Time Warner Inc., and Willkie Farr & Gallagher LLP reached the level of “Masters of Media.” Cleary Gottlieb Steen & Hamilton LLP, Deutsche Telekom, Inc., Jenner & Block LLP, and Latham & Watkins LLP became “Bachelors of Broadband.”

Gems (Individuals). In addition, individual donations will be recognized at the following levels:

Diamond	\$1,000 and above
Emerald	\$500 - \$999
Pearl	\$250 - \$499
Ruby	\$100 - \$249
Sapphire	\$99 and below

Our Annual Report recognized more than 100 individual FCBA members who donated to the Foundation this past fiscal year, including nine who reached the “Diamond” level.

The FCBA Foundation is extremely grateful for every contribution, no matter its size. We thank you for the time and talent that each of you contributes to the FCBA Foundation, and we look forward to hearing from you regarding the Foundation and its programs.

Very truly yours,

**Rebecca Murphy Thompson
and Johanna Thomas**
Co-Chairs, 2018-2019 FCBA
Foundation Board of Trustees

The FCLJ is Looking for Articles

The *Federal Communications Law Journal* (FCLJ) editorial board at The George Washington University Law School is seeking article submissions for potential publication in the upcoming issues of the FCLJ. Interested members may submit articles to the Senior Articles Editor, Katherine Kreams (fcljarticles@law.gwu.edu). Articles may also be submitted through ExpressO. For general inquiries about the FCLJ, please contact the Editor-in-Chief, Stephen Conley (fclj@law.gwu.edu).

COMMITTEE/CHAPTER EVENT *Registration Form*

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ E-mail _____

CHECK THE EVENT(S) FOR WHICH YOU ARE REGISTERING:

- Wednesday, November 7, 2018, 12:00 – 2:15 pm – CLE Seminar: Coping with Carpenter: The Fourth Amendment Meets the 21st Century.** Location: Arnold & Porter, 601 Massachusetts Avenue, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.
- Thursday, November 15, 2018, 3:00 – 5:15 p.m. – CLE Seminar: The Evolving Privacy Landscape: The Next Steps on the Federal Front.** Location: Drinker Biddle & Reath LLP, 1500 K Street, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.
- Monday, November 19, 2018, 4:00 – 6:15 p.m. – CLE Seminar: 3.5 GHz CBRS “Innovation Band” – Ready for Launch.** Location: Wiley Rein LLP, 1776 K Street, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.
- Wednesday, November 28, 2018, 6:00 – 8:15 p.m. – CLE Seminar: What You Need to Know about Music Licensing.** Location: Wilkinson Barker Knauer, LLP, 1800 M Street, Suite 800N, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.
- Wednesday, December 12, 2018, 3:00 – 5:15 p.m. – CLE Seminar: The 2018 ITU Plenipotentiary Conference: Results, Implications, and Next Steps.** Location: Sheppard Mullin, 2099 Pennsylvania Avenue, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.
- Tuesday, December 18, 2018, 12:00 – 2:15 p.m. – CLE Seminar: Intercarrier Compensation Reforms on The Horizon.** Location: Wiley Rein LLP, 1776 K Street, NW.
Cost: \$135.00 for Private Sector Members; \$50.00 for Government/Academic/Transitional Members; No charge for Law Student Members; \$205.00 for Non-Members
Registrations and cancellations due no later than 48 hours prior to the program start time.

\$ _____ Total Enclosed Visa MasterCard American Express Discover Check

Credit card no. _____ Exp. date _____

Cardholder Name _____ Signature _____

PAYMENT MUST BE RECEIVED NO LATER THAN THE DAY OF THE EVENT. PHONE REGISTRATIONS WILL NOT BE ACCEPTED.

CLE CREDIT: FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms for Virginia and California will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE credit for other states. The FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar.

The number of credits corresponds with the number of hours of course time, i.e., a two-hour seminar equals 2.0 hours of credit.

PLEASE MAIL THIS FORM AND A CHECK MADE PAYABLE TO THE “FCBA” OR FAX OR EMAIL THE FORM TO:

Federal Communications Bar Association
1020 19th Street, NW • Suite 325 • Washington, DC 20036
Phone: (202) 293-4000 • Fax: (202) 293-4317
Email: elizabeth@fcba.org

32ND ANNUAL CHAIRMAN'S DINNER *Registration*

Thursday, December 6, 2018

**THE WASHINGTON HILTON HOTEL
1919 CONNECTICUT AVENUE, NW**

**RECEPTION - 5:45 P.M.
DINNER - 7:15 P.M. - INTERNATIONAL BALLROOM**

FCBA FOUNDATION SPONSOR:*

PURCHASE OF TABLE:

___ table(s) (ten guests per table) at \$3,500.00 per table or ___ table(s) (ten guests per table) at \$3,150.00 per table
___ extra table seat(s) at \$315.00 each (up to 2 per table allowed)

** The FCBA Foundation is a charitable organization qualified under §501(c)(3) of the Internal Revenue Code. Contributions to the FCBA Foundation are tax deductible in the amount of \$350 for each Sponsor Table. Tax ID # 51-0334407*

INDIVIDUAL TICKETS:

___ FCBA Private Sector Member ticket(s) at \$315.00 each
___ FCBA Government/Academic/Transitional/Law Student Member ticket(s) at \$120.00 each
___ Non-Member ticket(s) at \$415.00 each

Contact Name _____
Organization _____
Address _____
Suite/Room/Apt. _____
City/State/Zip _____
Phone _____ E-mail _____

\$_____ Total Enclosed Visa MasterCard American Express Discover Check
Credit card no. _____ Exp. date _____
Cardholder Name _____ Signature _____

**PLEASE SUBMIT THIS FORM AND PAYMENT TO THE "FCBA"
NO LATER THAN FRIDAY, NOVEMBER 16.**

Federal Communications Bar Association
Chairman's Dinner
1020 19th Street, NW, Suite 325
Washington, DC 20036-6101
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: wendy@fcba.org

**PLEASE NOTE THAT SEATING IS RESERVED AND TICKETS WILL
BE PREPARED FOR PICK-UP FROM THE FCBA OFFICE AFTER
TUESDAY, NOVEMBER 27.**

Cancellation Policy: Cancellations will be accepted and fees refunded if notice is received in writing no later than Tuesday, November 27. No refunds will be granted after this time.

BUSINESS ATTIRE

Pursuant to the Office of Government Ethics regulation on widely-attended gatherings (5 C.F.R. 2635.204(g)(2)), the Chairman's Dinner appears to qualify as a widely attended gathering. The value of an individual ticket to the dinner is \$295.00. Most employees of the Federal Communications Commission may be directly invited to attend the dinner as guests of individuals and organizations purchasing tables or tickets. In most cases, individuals and organizations may issue invitations to the Chairman's Dinner without the involvement of the FCBA. Some agencies, departments and branches of the Federal Government, however, apply additional stipulations above the regulations issued by the Office of Government Ethics. Individuals who have signed the Administration's Ethics pledge cannot accept invitations from most registered lobbying organizations or registered lobbyists. While this event has qualified as a widely-attended-gathering in previous years, each FCC employee is required to obtain individual ethics clearance based on matters they are working on within the Commission. Employees of the Commerce Department are required to obtain individual ethics clearance through the Department's Office of General Counsel. Invitations to Members of Congress, Congressional Staff, and employees of the Department of State must be issued by the FCBA. Contact the FCBA for additional information. ****Requests for invitations to be sent from the FCBA must be emailed to kerry@fcba.org by Monday, November 19. Those invitees will be placed at the discretion of the FCBA.**

36th Annual INSTITUTE ON TELECOMMUNICATIONS POLICY & REGULATION REGISTRATION

CO-SPONSORED BY THE FCBA AND THE PRACTISING LAW INSTITUTE

Thursday, December 6 and Friday, December 7, 2018

WASHINGTON HILTON, 1919 CONNECTICUT AVENUE, NW, WASHINGTON, DC

Name _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

_____ I am a member of the FCBA and/or PLI (Registration Fee is \$1,705.50)

_____ I am a Privileged Member of PLI (Registration Fee is \$0.00)

_____ I am not a member of the FCBA or PLI (Registration Fee is \$1,895.00)

_____ I wish to obtain state bar CLE credit for this program from _____ (name of state)

Four ways to register:

MAIL THIS FORM AND A CHECK MADE PAYABLE TO THE "PRACTISING LAW INSTITUTE" TO:

Practising Law Institute
1177 Avenue of the Americas
New York, NY 10036

PHONE:
(800) 260-4PLI

FAX:
(800) 321-0093

WEB SITE:
<https://www.pli.edu/telecom>

REGISTRATION DESK AT PROGRAM:
(202) 483-3000

PLI'S SCHOLARSHIP/FINANCIAL HARDSHIP POLICY: Full scholarships and discounts to attend PLI programs are available to pro bono attorneys, judges, judicial law clerks, law professors, attorneys 65 or older, lawyers, law students, librarians and paralegals who work for nonprofit organizations, legal services organizations or government agencies, and unemployed attorneys and others with financial hardships. To apply, please fill out the Scholarship Application at: http://www.pli.edu/emktg/Scholarship_Application.pdf and forward it to the PLI Scholarship Committee at Scholarship@pli.edu. PLI will endeavor to award as many scholarships as possible, subject to limitations. Scholarship applicants are urged to apply early.

2018 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2018 FCBA Membership Directory are available for purchase at a cost of \$60.00 for FCBA Members, \$35.00 for Law Student Members, and \$125.00 for Non-Members and in accordance with the terms set forth on this form. There is a 10% discount for orders of 10 or more Directories. **(Please add 6.0% sales tax for orders sent to DC addresses).**

Please note that the Directory is available solely for the personal and professional use of FCBA members and other purchasers of the Directory. All uses for commercial purposes are prohibited without prior written approval of the FCBA's Executive Director. By purchasing the Directory and signing below, purchaser agrees that they will not, and will not knowingly authorize or permit others to, duplicate, reproduce or copy the information printed in the Directory without the express written consent of the Association.

Please send me _____ copy(ies) of the 2018 FCBA Membership Directory.

Signature (required) _____

Name _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ E-mail _____

\$_____ Total Enclosed ***(Please add 6.0% Sales Tax for orders sent to DC addresses)***

Visa MasterCard American Express Discover Check

Credit card no. _____ Exp. date _____

Cardholder Name _____ Signature _____

Please make check payable to "FCBA".

PLEASE SEND THIS FORM TO:

Federal Communications Bar Association
1020 19th Street, NW
Suite 325
Washington, DC 20036
Phone: (202) 293-4000
Fax: (202) 293-4317
Email: elizabeth@fcba.org

The FCBA membership list also is available at a cost to FCBA members of \$400.00 for the first order and \$700 for each additional order (per calendar year), and \$700.00 for non-members per order. Please call the FCBA office, (202) 293-4000, for further details.

FEDERAL COMMUNICATIONS BAR ASSOCIATION 2018-2019 COMMITTEE AND CHAPTER *Registration*

NAME (please print) _____

ORGANIZATION _____

STANDING COMMITTEES

Access to Government
Annual Seminar Planning
Commendations and Acknowledgements
Conference Planning
Constitution and By-laws
Continuing Legal Education
Diversity
Engineering and Technical
FCC Enforcement
Homeland Security and Emergency Communications
Intellectual Property
International Telecommunications
Judicial Practice
Law Journal

Legislative
Mass Media
Membership and Marketing
National Telecommunications Moot Court Competition
Privacy and Data Security
Professional Responsibility
Relations with Other Bar Associations
Social Media
State and Local Practice
Transactional Practice
Video Programming and Distribution
Wireless Telecommunications
Wireline
Young Lawyers

AD HOC COMMITTEES

Charity Auction
Consumer Protection
Edge Provider Task Force

International Chapters
Internet of Things
Telehealth

CHAPTERS

Atlanta
Carolina
Florida
Midwest
New England
New York

Northern California
Pacific Northwest
Rocky Mountain
Southern California
Texas

Descriptions of the focus and work of Standing Committees may be found in the Constitution and By-laws in the FCBA Directory and on the FCBA website.

Please indicate your committee/chapter choices and return this form to:

FCBA, 1020 19th Street, NW, Suite 325, Washington, DC 20036

Fax: 202-293-4317; Email: elizabeth@fcba.org

NOTE: Most announcements of committee and chapter meetings and events will appear in the FCBA Newsletter and/or on the FCBA's website at www.fcba.org.

Interested in Hosting an FCBA event?

The FCBA greatly appreciates the support of our members' firms and companies who provide space for our brown bag lunches, committee meetings, and CLE Seminars throughout the year. We are, however, always looking for new locations that can host FCBA events.

In general, we need conference rooms that can seat at least 30 people at tables for brown bag lunches and committee meetings and conference rooms that can seat at least 60 people theatre style for CLE seminars. Firms and companies hosting brown bag lunches provide beverages and desserts; firms and companies hosting CLE seminars provide beverages and snacks. Brown bag lunches are generally held from 12:00 – 1:30 p.m. and CLE seminars are generally held from 12:00 – 2:15 p.m., 3:00 – 5:15 p.m., or 6:00 – 8:15 p.m. Additionally, for CLE seminars we need facilities that can provide technology support for microphones for as many as six speakers on a panel, the ability to tie the house sound system into a teleconference bridge, and video projection capabilities for PowerPoint presentations. If your firm or company has the needed conference room facilities and capabilities and would be willing to host future FCBA activities, please email **Kerry Loughney**, kerry@fcba.org.

To Update Your Membership Contact Information

We'd like to remind everyone that if you have any changes to your membership contact information, please contact Elizabeth Hagerty (elizabeth@fcba.org). In order to keep a cohesive look to both our online and hard copy directories, we do not allow members to make any changes to their information themselves. Also note that we do not include prefixes or titles in any of our member listings.

Calendar

November 7	CLE Seminar: Coping with <i>Carpenter</i> : The Fourth Amendment Meets the 21st Century presented by the Homeland Security and Emergency Communications Committee
November 14	Mass Media Committee Brown Bag Lunch
November 15	CLE Seminar: The Evolving Privacy Landscape: The Next Steps on the Federal Front presented by the Legislative and Privacy and Data Security Committees
November 19	CLE Seminar: 3.5 GHz CBRS "Innovation Band" – Ready for Launch presented by the Wireless Telecommunications Committee
November 28	Brown Bag Lunch co-hosted by the Diversity and Young Lawyers Committees
November 28	CLE Seminar: What You Need to Know about Music Licensing presented by the Intellectual Property and Mass Media Committees
November 29	FCC Enforcement Committee Brown Bag Lunch
November 30	Young Lawyers Committee Post-Charity Auction Thank You Happy Hour
December 3	Telehealth Committee Brown Bag Lunch
December 3	Texas Chapter Communications / Administrative Law Continuing Legal Education (CLE) Program (Austin, TX)
December 4	Consumer Protection Committee Brown Bag Lunch
December 6	32nd Annual FCBA Chairman's Dinner
December 6-7	36th Annual PLI and FCBA Conference
December 12	CLE Seminar: The 2018 ITU Plenipotentiary Conference: Results, Implications, and Next Steps presented by the International Telecommunications Committee
December 18	CLE Seminar: Intercarrier Compensation Reforms on The Horizon presented by the Wireline Committee
May 17-19, 2019	Annual Seminar – The Omni Homestead Resort, Hot Springs, VA