

U.S. Communications Policymaking:  
Who & Where

Mark S. Nadel

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Columbia Institute for Tele-Information  
Graduate School of Business  
809 Uris Hall  
New York, NY 10027  
(212)854-4222

# U.S. Communications Policymaking: Who & Where

by  
MARK S. NADEL\*

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\* Attorney, Policy and Program Planning Division, Common Carrier Bureau, Federal Communications Commission; B.A., Amherst College, 1978; J.D., Harvard University School of Law, 1981. The author thanks the many individuals who reviewed this directory and supplied corrections and additions, in particular Chris Sterling, whose past directories and current suggestions were especially helpful, and Dana Elfin and Eugene Nadel, for keeping the text smooth and crisp. The views expressed are those of the author and do not necessarily reflect the views of the Federal Communications Commission.

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## Introduction

In view of the integral part that communication plays in all aspects of modern society, it is not surprising that the government plays a substantial role in the development and maintenance of the current United States systems of communication. While the public is generally aware of government regulation of the postal service, the telephone network, broadcasting, and cable television, many people do not realize that government policies affect all media, including billboards, citizens band radio, and textbook publishing.

Government policies deal with every aspect of communication, including the production, transmission, and receipt of messages. Federal regulations govern broadcast and satellite transmission technologies, and federal copyright and antitrust laws significantly affect the software industry. At the same time, state and local government public education policies determine how much instruction individuals should receive in basic communication skills. State libel, obscenity, and privacy laws protect individuals against undesired communication. In addition to operating public libraries, local governments may also mandate and finance public access cable TV channels or even community computer bulletin boards.

Conflicts often occur among the various federal, state, and local officials responsible for maintaining and regulating systems of communication. In fact, there is often intrajurisdictional disagreement, particularly among the many and diverse federal communications policymakers. Tensions also arise between the champions of different media industries because, inevitably, the development of a new industry does significant harm to existing industries. Examples of such battles are abundant: telephone industry opposition to the carriage of electronic mail by the post office, broadcasting industry opposition to the entry of cable television, cable industry opposition to telephone company carriage of video programming, and newspaper industry opposition to telephone company carriage of electronic yellow pages. The diversity and complexity of both communications technologies and the U.S. democratic system make communications policymaking an often paralyzing task.

This Directory attempts to give policymakers and students of policymaking a better understanding and appreciation of the broad communications policymaking arena. It offers a relatively comprehensive description of all the major communications policymaking forums—what they focus on and their relationship to other forums—as well as the major directors of and participants in those forums. The Directory observes that while most communications policymaking is undertaken by government bodies, the rationale for many policy decisions is developed

by those in academia, trade associations, and industry. Part I focuses on federal bodies; Part II reviews state and local forums; Part III touches on international bodies; and Part IV reviews academic institutions, journals, foundations, conferences, seminar programs, and advocacy groups. The Appendices provide a detailed list of the sources of information discussed in the text of this Directory.

## I

### The Federal Government

Due to the increasingly expansive nature of most systems of communications, policymaking often requires a broad national, if not international, perspective. Hence, the federal government is assuming an increasing degree of leadership in the formulation of communications policy. Unfortunately, forging a national consensus on issues can be enormously complicated when so many federal communications policymaking institutions are scattered throughout the legislative and executive branches and independent agencies. In addition, the usually deferential judicial branch recently asserted its prerogative, allowing one judge to assume continuing control over the administration of the AT&T Modified Final Judgment.<sup>1</sup> Neither the separate branches nor their institutions, however, are inclined to defer to the supremacy of the others. The result is a lack of consensus within even a single branch of the federal government.

#### A. The Legislative Branch

The authority of Congress to establish communications policy is relatively well settled. Although multiple House and Senate subcommittees formulate communications policies, it is usually clear which subcommittee has primary jurisdiction over which issues. The relevant committees and subcommittees then rely on a few Congressional support agencies to provide them with reports and analyses of policy options.

##### 1. Congress: House and Senate

Congress' power to legislate national communication policies is based on its Constitutional power to regulate interstate commerce.<sup>2</sup> Its two most significant actions in this area have been 1) the establishment and subsequent expansions and modifications of the U.S. Postal Service,<sup>3</sup>

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1. *United States v. American Tel. & Tel. Co.*, 552 F. Supp. 131, 138 n.17 (D.D.C. 1982), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983).

2. See U.S. CONST. art. I, § 3, cl. 3.

3. See 39 U.S.C. §§ 101-6440 (1988); Priest, *The History of the Postal Monopoly in the United States*, 18 J. L. & ECON. 33 (1975).

and 2) the passage of the 1927 Radio and 1934 Communications Acts,<sup>4</sup> which led to the creation of the Federal Communications Commission (FCC).<sup>5</sup> The only major limitations on the power of Congress to regulate communications are the first amendment, which prohibits Congress from abridging freedom of expression,<sup>6</sup> and the tenth amendment, which reserves unenumerated powers to the states, denying Congress the power to legislate on intrastate matters.<sup>7</sup>

Within Congress, almost any committee or subcommittee could focus on an issue of communications policy, due to the critical impact of communications on so many areas of social, political, and economic life. (See Box A) Nevertheless, the primary responsibility for dealing with communications legislation rests with two subcommittees. In the House, it rests with the Committee on Energy and Commerce's Subcommittee on Telecommunications and Finance. In the Senate, it rests with the Committee on Commerce, Science, and Transportation's Subcommittee on Communications. The most influential players in these forums are the heads of these two committees, the chairpersons of their two subcommittees, and the heads of the subcommittee majority staffs.

Over the past few decades Congress has passed substantial legislation in the communications field, such as the 1984 Cable Communications Policy Act<sup>8</sup> and the 1967 Public Broadcasting Act.<sup>9</sup> Repeated failures to rewrite the entire 1934 Communications Act,<sup>10</sup> or to reach a consensus on any number of smaller issues, however, has led some members of Congress and critics to characterize Congress as virtually powerless in the area of telecommunications policy.<sup>11</sup> Nevertheless, Congress exerts a substantial impact on the communications policy process in many ways. It sends messages to the FCC in letters to the Commissioners and it holds hearings on communications issues and on the confirma-

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4. See 47 U.S.C. §§ 1-757 (1988); M. PAGLIN, *THE LEGISLATIVE HISTORY OF THE COMMUNICATIONS ACT OF 1934* (1989).

5. See Coase, *The Federal Communications Commission*, 2 J. L. & ECON. 1 (1959).

6. See U.S. CONST. amend. I.

7. *Id.* amend. X.

8. Pub. L. No. 98-549, 98 Stat. 2780 (1984) (codified at 47 U.S.C. §§ 521-559 (1988)).

9. Pub. L. No. 90-129, 81 Stat. 368 (1967) (codified at 47 U.S.C. §§ 396-399 (1988)).

10. See E. KRASNOW, L. LONGLEY & H. TERRY, *THE POLITICS OF BROADCAST REGULATION 240-70* (3d ed. 1982).

11. See Gellhorn, *The Role of Congress*, in *COMMUNICATIONS FOR TOMORROW: POLICY PERSPECTIVES FOR THE 1980S* 445-62 (G. Robinson ed. 1978); Ferejohn & Shipan, *Congress and Telecommunications Policy Making*, in 1 *NEW DIRECTIONS IN TELECOMMUNICATIONS POLICY* 301 (P. Newberg ed. 1989) (Criticisms have even come from members. For example, Senator Ernest Hollings has complained that "[t]here is no doubt that we have a runaway animal in the FCC," and Representative Al Swift has added that "Congress is an extremely powerful, but muscle bound, giant who sometimes has trouble getting up off its inertia to do anything.").

**BOX A**

**CONGRESSIONAL COMMITTEES & SUBCOMMITTEES**  
With a Significant Interest  
in Communications Policy Matters  
(and an example of subjects they cover)

**SENATE**

**Committee on Commerce, Science, and Transportation**  
Subcomm. on Communications  
(broadcasting, telephone, FCC)

**Committee on the Judiciary**  
Subcomm. on Antitrust, Monopolies, and Business Rights  
(the monopoly power of cable TV systems)  
Subcomm. on Patents, Copyrights, and Trademarks  
(home copying with digital audio tape (DAT))

**Committee on Agriculture, Nutrition, and Forestry**  
Subcomm. on Rural Development and Rural Electrification  
(rural telecommunications development)

**Committee on Government Affairs**  
Subcomm. on Federal Services, Post Office, and Civil Service Banking  
(electronic funds transfer (EFT) rules)

**Committee on Foreign Affairs**  
Subcomm. on Terrorism, Narcotics, and International Operations  
(foreign broadcasting)  
Subcomm. on International Economic Policy

**HOUSE**

**Committee on Energy and Commerce**  
Subcomm. on Telecommunications & Finance  
(broadcasting, telephone, FCC)

**Committee on the Judiciary**  
Subcomm. on Courts, Intellectual Property, and the Administration of Justice  
(digital audio tape (DAT))  
Subcomm. on Economic and Commercial Law  
(antitrust issues)

**Committee on Post Office and Civil Service**  
Subcomm. on Postal Operations & Services

**Committee on Government Operations**  
Subcomm. on Governmental Information, Justice, and Agriculture  
(government printing office, freedom of information act)

**Committee on Agriculture**  
Subcomm. on Conservation, Credit, and Rural Development  
(rural telecommunications)

**JOINT**

**Committee on Printing**  
(printing & distribution of government publications)

tion of Commissioners.<sup>12</sup> Congress has also shown its displeasure with FCC actions by withholding approval of FCC budget requests,<sup>13</sup> failing to hold confirmation hearings, and refusing to consider legislation supported by the agency.<sup>14</sup> Congressional committees also occasionally issue general policymaking background reports,<sup>15</sup> as well as publish their hearings and reports on specific bills.

## 2. Congressional Support Agencies

In its efforts to formulate communications policies, Congress depends on policy analysis from its support agencies, particularly the Office of Technology Assessment (OTA). OTA's Program on Communications and Information Technologies (CIT) provides congressional committees with long term studies of issues such as home copying, government dissemination of information, and electronic privacy.<sup>16</sup> The agency does not make specific recommendations on matters, but does provide careful analysis of options and their consequences.

In addition, OTA's sister agencies also provide analyses of particular issues. Such agencies include the General Accounting Office (GAO),<sup>17</sup> the Library of Congress' Congressional Research Service

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12. *Congress asserts its dominion over FCC*, BROADCASTING, Aug. 7, 1989, at 27; *Editorials*, BROADCASTING, Aug. 7, 1989, at 106. See generally Ferejohn & Shipan, *supra* note 11.

13. *Congress to the Rescue*, BROADCASTING, May 22, 1989, at 34 (probable that the FCC would have been forced to furlough its staff for three and a half days in 1989).

14. Note Hollings' refusal to hold confirmation hearings for Susan Wing and Brad Holmes. *Chances Bleak for Wing, Holmes*, BROADCASTING, May 30, 1988, at 25; see also *Fairness Doctrine Law Still 'Quid' to Broadcasters' 'Pro Quo'*, BROADCASTING, May 8, 1989, at 36 (discussing Dingall's refusal to consider legislation favorable to broadcasters until the fairness doctrine is restored).

15. See generally E. KRASNOW, *supra* note 10; STAFF OF SUBCOMM. ON COMMUNICATIONS OF THE HOUSE COMM. ON INTERSTATE AND FOREIGN COMMERCE, 94TH CONG., 2D SESS., CABLE TELEVISION: PROMISE VERSUS REGULATORY PERFORMANCE (Subcomm. Reprint 1976); STAFF OF SUBCOMM. ON TELECOMMUNICATIONS, CONSUMER PROTECTION AND FINANCE OF THE HOUSE COMM. ON ENERGY AND COMMERCE, 97TH CONG., 1ST SESS., TELECOMMUNICATIONS IN TRANSITION: THE STATUS OF COMPETITION IN THE TELECOMMUNICATIONS INDUSTRY (Comm. Print 1981).

16. See U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, CRITICAL CONNECTIONS: COMMUNICATION FOR THE FUTURE (1990); U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, COPYRIGHT & HOME COPYING: TECHNOLOGY CHALLENGES THE LAW (1989); U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT INFORMING THE NATION: FEDERAL INFORMATION DISSEMINATION IN AN ELECTRONIC AGE (1988); U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, FEDERAL GOVERNMENT INFORMATION TECHNOLOGY: ELECTRONIC RECORD SYSTEMS AND INDIVIDUAL PRIVACY (1986).

17. GAO occasionally audits and evaluates the management practices at government agencies involved with communications policy, such as the FCC and may even audit private sector pricing, such as in the cable television industry. See U.S. GENERAL ACCOUNTING OFFICE, NATIONAL SURVEY OF CABLE TELEVISION RATES AND SERVICES (Aug. 1989).



(CRS),<sup>18</sup> and the Congressional Budget Office (CBO).<sup>19</sup> Two other groups focus on copyright issues. The Register of the Copyright Office (within the Library of Congress) advises congressional committees on copyright issues and aids in negotiations of international treaties. The Copyright Royalty Tribunal (CRT), composed of five Commissioners appointed by the President,<sup>20</sup> sets rates for and allocates revenues from the four compulsory licenses created by Congress.<sup>21</sup> It also interprets license provisions that Congress has left vague.<sup>22</sup>

## B. Independent Agencies

To handle some of the more detailed issues that require constant attention and special expertise, Congress created two specific communications agencies: the FCC and the United States Postal Service (USPS). Congress also relies on a third agency, the Federal Trade Commission (FTC), to deal with communications issues involved in trade.

### 1. Federal Communications Commission (FCC)

Congress created the FCC in the 1934 Communications Act, "to serve the public convenience, interest, and necessity," and in doing so it delegated very broad and expansive powers to the agency.<sup>23</sup> Five Commissioners, including no more than three from any one political party, are nominated by the President for five-year terms, subject to confirmation by the Senate.<sup>24</sup> While the President also designates the chair, the

18. CRS handles most congressional requests for short focused research on communications policy issues. Recent CRS Issue Briefs include the following: U.S. CONGRESS, CONGRESSIONAL RESEARCH SERVICE, ECONOMIC DIVISION, TELEPHONE INDUSTRY RESIDENTIAL SUBSCRIBER LINE CHARGES AND THE LIFELINE OPTION (authored by Angele A. Gilroy) (Aug. 27, 1990); U.S. CONGRESS, CONGRESSIONAL RESEARCH SERVICE, SCIENCE POLICY RESEARCH DIVISION, CALLER I.D. AND AUTOMATIC TELEPHONE NUMBER IDENTIFICATION (authored by David B. Hack) (Aug. 30, 1990).

19. CBO may become involved on matters which may significantly affect the budget, such as HDTV, e.g., CONGRESSIONAL BUDGET OFFICE, THE SCOPE OF THE HIGH-DEFINITION TELEVISION MARKET AND ITS IMPLICATIONS FOR COMPETITIVENESS (July 1989).

20. See 17 U.S.C. §§ 801-810 (1988).

21. See 17 U.S.C. §§ 111, 115, 116, 118 (1988).

22. See Hatfield & Garrett, *A Reexamination of Cable Television's Compulsory Licensing Royalty Rates*, 30 J. COPYRIGHT SOC'Y 433 (1983); U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, INTELLECTUAL PROPERTY RIGHTS IN AN AGE OF ELECTRONICS AND INFORMATION 265 n.32 (1986).

23. 47 U.S.C. §§ 150-757 (1988); see *National Brdcast. Co. v. United States*, 319 U.S. 190, 213, 215-17 (1943).

24. 47 U.S.C. § 154 (1988). Prior to 1982, there were seven commissioners, Pub. L. 97-253, 96 Stat. 763, 805; for much of 1988-89, two of the five positions remained vacant. See *Chances Bleak for Wing*, *Holmes, supra* note 14.

agency is not bound to support administration positions and occasionally refuses to do so.<sup>25</sup>

The FCC Commissioners may raise issues on their own initiative, while other policies are suggested by studies of the Office of Plans and Policy (OPP),<sup>26</sup> or by the main Bureaus according to stakeholders' requests. The Commissioners may act through Rule Making, Notices of Inquiry (NOIs) or Notices of Proposed Rule Makings (NPRMs), adjudication, or even speeches.<sup>27</sup> The primary policy "shops" are the Policy and Programming Division, within the Common Carrier Bureau, and the Policy and Rules Division, within the Mass Media Bureau. The newly established Office of International Communications<sup>28</sup> has not yet established a distinct policy shop. The Commissioners and their dozen internal bureaus and offices (*see* flow chart) also serve as enforcers and adjudicators of rules and regulations.

Because they can be overruled by congressional legislation and, more importantly, because they depend on congressional funding, the FCC Commissioners have traditionally been very sensitive to the wishes of Congress.<sup>29</sup> Nevertheless, they have opposed Congressional will on occasion when they believed that the President or the courts would support their decisions. A recent example of this independence was the FCC's decision to invalidate the fairness doctrine.<sup>30</sup>

Many have complained that the FCC has been captured by the industries it regulates.<sup>31</sup> However, this may only reflect the superior quan-

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25. For example, FCC Chairman Mark Fowler supported the repeal of the financial interest-syndication (fin-syn) rules until President Ronald Reagan intervened. Editorial, *Free the Networks, and Competition*, N.Y. Times, Apr. 15, 1990, § 4, at 12, col. 1.

26. Past studies made by the office include the following: FCC, OFFICE OF PLANS AND POLICY, MEASUREMENT OF CONCENTRATION IN HOME VIDEO MARKETS (staff report authored by Jonathan D. Levy and Florence O. Seltzer) (Dec. 1982); FCC, OPP WORKING PAPER, THROUGH THE LOOKING GLASS: INTEGRATED BROADBAND NETWORKS, REGULATORY POLICIES, AND INSTITUTIONAL CHANGE (authored by Robert M. Pepper), 4 FCC Rcd. 1306 (1988); FCC, OPP WORKING PAPER SERIES, WHAT MAKES THE DOMINANT FIRM DOMINANT (authored by John Haring and Kathy Levitz) (Apr. 1989) (this helped motivate the Interexchange Carrier, *Notice of Inquiry*, 5 FCC Rcd. 2627 (1990)).

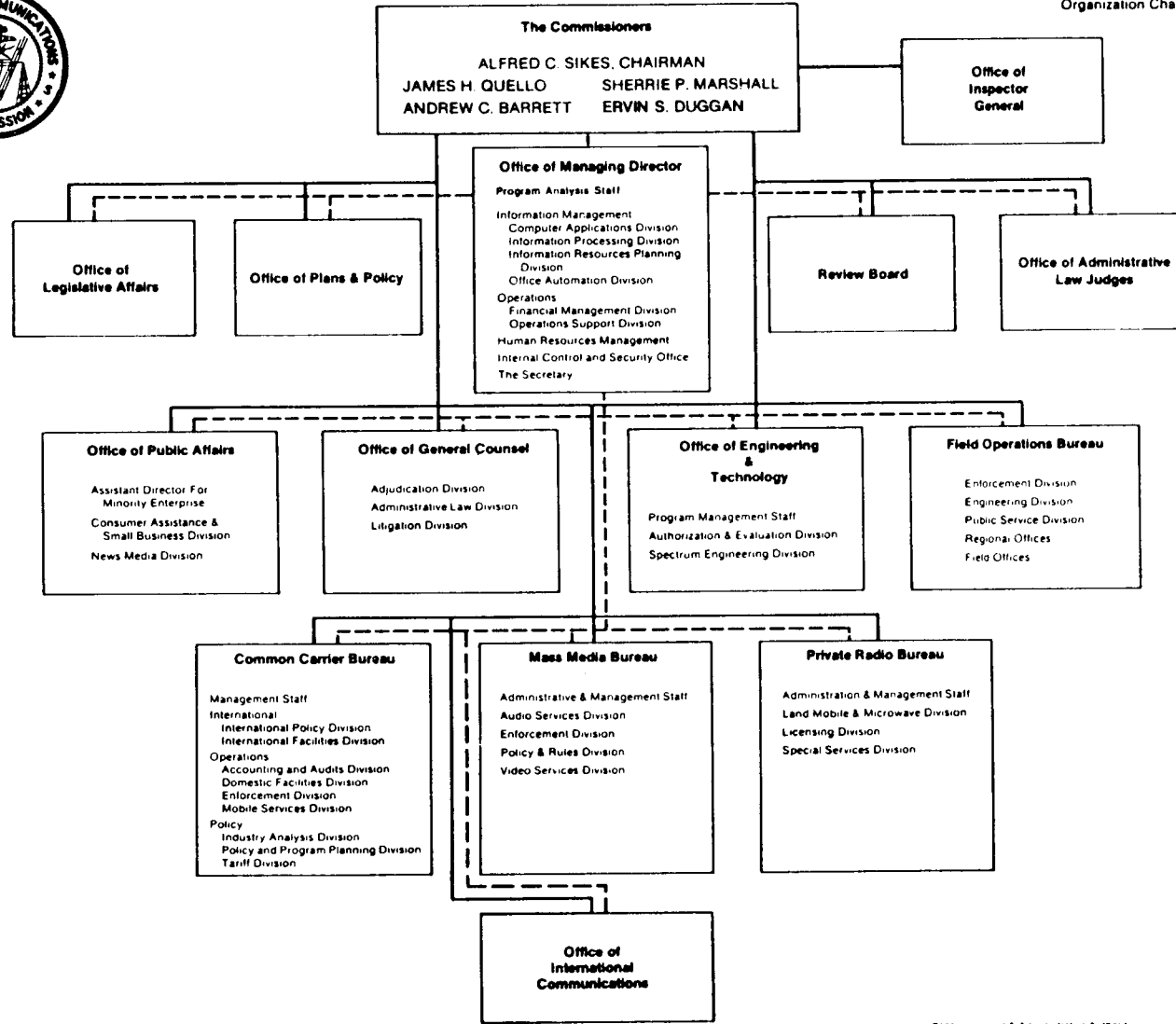
27. See Brenner, *Policy-Making at the Fowler FCC: How Speeches Figured In*, 10 COMM/ENT L.J. 539 (1988).

28. See *Walda Wanger Roseman Named Director of New Office of International Communications*, FCC News, Jan. 12, 1990.

29. Ferejohn & Shipan, *supra* note 11, 308-12.

30. See *In re Syracuse Peace Council*, *Memorandum Opinion and Order*, 2 FCC Rcd. 5043 (1987), *aff'd*, 867 F.2d 654 (D.C. Cir. 1989).

31. See Robinson, *The Federal Communications Commission*, in COMMUNICATIONS FOR TOMORROW: POLICY PERSPECTIVES FOR THE 1980s 386-87 (G. Robinson ed. 1978); B. OWEN & R. BRAUTIGAM, *THE REGULATION GAME: STRATEGIC USE OF THE ADMINISTRATIVE PROCESS* 11 (1978); Noll & Owen, *What Makes Reform Happen?*, REGULATION, Mar./Apr. 1983, at 19-24.



— Lines Of Policy & Judicial Authority

- - - Lines Of Management & Administrative Authority

tity and quality of information that industries are able to present to regulators to justify their positions. Despite the existence of OPP, some complain that the agency does not have the funding to carry out the necessary long range broad policy planning.<sup>32</sup> Another criticism is that the predominance of legal and administrative backgrounds of the FCC Commissioners leads the FCC to view regulatory activities in a legal and administrative mold, rather than in broader social and economic terms.<sup>33</sup>

## 2. *Postal Rate Commission and Board of Governors*

The 1971 Postal Reorganization Act<sup>34</sup> transformed the U.S. Postal Service (USPS) from a cabinet-level department to an independent agency which is managed by a Board of Governors and the Postal Rate Commission (PRC). The President appoints all five members of the PRC, who then recommend rates and classifications for approval by the Board of Governors. The President also appoints nine members of the Board who select a Postmaster General as the tenth member. These ten Board members then appoint the Deputy Postmaster General as an eleventh member. In addition to regulating postal rates, the Board also sets policy for USPS entry into or out of new services, such as electronic mail,<sup>35</sup> and the permissible areas of entry by private delivery services.<sup>36</sup>

## 3. *Federal Trade Commission (FTC)*

By agreement among federal agencies, including the FCC and the Justice Department, the Federal Trade Commission (FTC) exercises "primary jurisdiction over all matters regulating unfair or deceptive advertising in all media, including the broadcast media."<sup>37</sup> Thus, the FTC establishes policies for advertising directed at children, as well as evaluating whether the claims made in advertisements are supported by sufficient empirical data.<sup>38</sup>

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32. See E. KRASNOW, *supra* note 9, at 15 (citing complaints about funding for long-term planning); U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, *THE COMMUNICATIONS SYSTEM FROM A REGULATORY PERSPECTIVE* (contractor report authored by Vincent Mosco) fig. 4 (between pp. 15-16) (Dec. 1986) (quoting more general funding complaints).

33. Robinson, *supra* note 31, at 379-81; see E. KRASNOW, *supra* note 10, at 41.

34. Pub. L. 91-375, 84 Stat. 719 (1971) (codified at 39 U.S.C. §§ 101-5605 (1988)).

35. See Bovard, *Zapped by Electronic Mail*, *ACROSS THE BOARD*, June 1985, at 42-47.

36. See, e.g., 39 C.F.R. § 320.6 (1989).

37. FCC *Public Notice* No. 41503 (1972), cited in D. BRENNER & M. PRICE, *CABLE TELEVISION AND OTHER NONBROADCAST VIDEO* § 6.08[2], at 6-82 n.5 (1988).

38. See H. NELSON & D. TEETER, *LAW OF MASS COMMUNICATIONS: FREEDOM AND CONTROL OF PRINT AND BROADCAST MEDIA* 614-27 (1986).

### C. Executive Branch Agencies

Responsibility for advocating and implementing the administration's communications policy agenda rests with a myriad of different yet related groups. The primary agencies involved are the Departments of Justice, Commerce, Defense, and State, although others may participate in particular issues. Unfortunately, competition among these groups often frustrates national efforts to present a single unified position.<sup>39</sup>

The coordination of executive agency actions has sometimes been handled by working groups established by a Senior Interagency Group (SIG). In 1980, a SIG was established for Communications and Information Policy, co-chaired by representatives from the Departments of State and Commerce, but it is defunct today. When these groups cannot resolve their differences themselves, the Office of Management and Budget (OMB) usually acts as the final arbiter.<sup>40</sup>

#### 1. Department of Justice (DOJ)

The Department of Justice (DOJ) formulates communications policy primarily through its Antitrust Division, specifically the Communications and Finance section within the Regulatory Affairs group. This section is responsible for investigating complaints about anticompetitive behavior of communication firms, evaluating mergers, and pursuing antitrust lawsuits. Past DOJ lawsuits led to the divestiture of the major Hollywood film distributors from their theaters (in 1948) and of AT&T from its local operating companies (in 1984), and also derailed the establishment of the "Premiere" pay-TV network (in 1981).<sup>41</sup> Like the FCC, the Justice Department can only enforce laws passed by Congress, yet like the FCC, it also has a great deal of discretion over whether to bring a

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39. See generally Brotman, *Executive Branch Communications Policymaking: Reconciling Function and Form with the Council of Communications Advisers*, 42 FED. COMM. L.J. 51 (1989); Geller, *The Federal Structure for Telecommunications Policy*, in BENTON FOUNDATION PROJECT ON COMMUNICATIONS & INFORMATION POLICY OPTIONS (1989). Even the executive branch's own agency, the NTIA, has had this complaint. U.S. DEPT. OF COMMERCE, NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION, NTIA TELECOM 2000: CHARTING THE COURSE FOR A NEW CENTURY 166 (1988) [hereinafter NTIA TELECOM 2000].

40. For example, OMB seems to have been responsible for blocking the Commerce Department from offering strong support for HDTV. See Burgess & Richards, *Commerce to Drop Role in HDTV*, Wash. Post, Sept. 13, 1989, at C1, col. 6.

41. See *United States v. Paramount Pictures*, 334 U.S. 131 (1948); *United States v. American Tel. & Tel. Co.*, 552 F. Supp. 131 (D.D.C. 1982), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983); *United States v. Columbia Pictures*, 507 F. Supp. 412 (S.D.N.Y. 1980); E. KRASNOW, *supra* note 10, at 73-74 (citing other pertinent cases).

lawsuit. Still, its permissive policies in the 1980s<sup>42</sup> antagonized some members of Congress and even the courts.<sup>43</sup>

The DOJ also influences policy by commenting on proceedings in other forums; in recent years it has been required to make recommendations on all waiver requests submitted by the Regional Bell Holding Companies (RHBCs) to Judge Harold Greene of the Federal District Court for the District of Columbia.<sup>44</sup>

## 2. Commerce Department

Commerce Department communications policies are usually coordinated by the National Telecommunications and Information Administration (NTIA), although a number of other groups within the Department are also concerned with different aspects of communications.

### a. National Telecommunications and Information Administration (NTIA)

Established in 1978<sup>45</sup> to replace the Office of Telecommunications Policy (OTP),<sup>46</sup> the NTIA is responsible for fostering the development and growth of communications industries, as well as the industries' customers and clients. It also has primary responsibility for managing the use of the electromagnetic spectrum by the federal government. In recognition of the importance of telecommunications to the U.S. economy and the agency's role as chief telecommunications policy advisor to the President, Congress recently blocked an effort to remove NTIA one level from its current status. Executive branch effort had sought to force the Assistant Secretary for Communications and Information (and thus NTIA) to report to the head of the Commerce Department's Technology Administration, rather than directly to the Secretary of Commerce.<sup>47</sup>

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42. For example, it declined to oppose a number of media mergers. See, e.g., White, *Anti-trust and Video Markets: The Merger of Showtime and the Movie Channel as a Case Study*, in VIDEO MEDIA COMPETITION: REGULATION, ECONOMICS, AND TECHNOLOGY 338-63 (E. Noam ed. 1985).

43. Pytte, *'Baby Bell' Regulators Struggle for Power*, CONG. Q., Aug. 26, 1989, at 2209, 2214.

44. The AT&T divestiture requires the DOJ to participate in a triennial review, and as part of its 1987 review, the Antitrust Division of the DOJ commissioned Peter Huber to produce THE GEODESIC NETWORK: 1987 REPORT ON COMPETITION IN THE TELEPHONE INDUSTRY (1986).

45. Exec. Order 12,046 of Mar. 27, 1978, §§ 47 C.F.R. 590-608 (1989).

46. See Miller, *The President's Advocate: OTP and Broadcast Issues*, 26 J. BROADCASTING 625 (1982).

47. Television Digest with Consumer Electronics, Sept. 11, 1989, at 3; *Commerce's Restructuring Plan*, BROADCASTING, Nov. 14, 1988, at 72, cols. 1-2.

NTIA makes frequent studies of both broad and narrow communications policy topics.<sup>48</sup> It occasionally makes proposals to the FCC on issues such as alternatives to the fairness doctrine and the provision of video dial-tone by telephone companies. It also comments on most FCC proceedings and provides testimony on such issues to Congress. Most of NTIA's policy analysis is produced by the Assistant Secretary's office of the Office of Policy Analysis and Development (OPAD). On matters involving the radio frequency spectrum, NTIA's Office of Spectrum Management (OSM) serves as the manager of spectrum use by federal agencies. When devising spectrum policy, OSM collaborates with the FCC and also relies on two advisory groups: the Interdepartmental Radio Advisory Committee (IRAC), the Frequency Management Advisory Council (FMAC).

b. National Institute of Standards and Technology (NIST)

Once known as the National Bureau of Standards, the National Institute of Standards and Technology (NIST) develops and recommends federal information-processing standards. It also participates in developing voluntary industry standards for computer and network technologies primarily through its Computer Systems Laboratory. NIST proposed the Government OSI Profile (GOSIP) standard for federal procurement which became official in 1989,<sup>49</sup> and developed the Federal Information Processing Standards (FIPS).

c. International Trade Administration (ITA)

The International Trade Administration (ITA) develops communications policies with regard to international tariffs and other trade restrictions on telecommunications equipment and services.

3. Department of Defense (DOD)

The Department of Defense (DOD) is the single largest user of the U.S. communications system. Its large budgets for procurement and research and development enable it to exercise considerable influence in the policy arena. The thirty million dollars that the Defense Advanced Re

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48. See, e.g., NTIA TELECOM 2000, *supra* note 39 (a broad overview of all aspects of telecommunications); NTIA, U.S. SPECTRUM MANAGEMENT POLICY: AN AGENDA FOR THE FUTURE (1991); U.S. DEPT. OF COMMERCE, NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION, VIDEO PROGRAM DISTRIBUTION AND CABLE TELEVISION CURRENT POLICY ISSUES AND RECOMMENDATIONS (1988).

49. Jackson, *GOSIP Guidelines Released*, Communications Week, Aug. 29, 1988, at 60; Jackson, *Federal Agencies Brace for GOSIP*, Communications Week, Nov. 6, 1989, at 60, col. 2.

search Projects Agency (DARPA) initially designated for HDTV research in 1989 is an example of the DOD's influence.<sup>50</sup>

The DOD appears to have four principal goals in the communications area: 1) to manage its affairs in a competitive environment; 2) to insure the integrity of the communications network for military command; 3) to rebuild the telecommunications system in case of a massive nuclear war; and 4) to support military operations in the midst of and following a limited conventional battle.<sup>51</sup> Through its Office of the Chief Regulatory Counsel, the DOD submits comments in both federal and state regulatory and judicial proceedings that affect such uses to insure that the quality of the network is not compromised. The Office of the Chief Regulatory Counsel represents the Defense Communications Agency (DCA), the National Communications System (NCS), and the Assistant Secretary of Defense (ASD) for Command, Control, Communications, and Intelligence (C<sup>3</sup>I), although it often acts indirectly through the DOD itself, the General Services Administration (GSA), or local counsel.<sup>52</sup>

#### 4. State Department

As the department responsible for foreign relations, the State Department generally assumes primary authority over U.S. participation in all international communications forums and policy, primarily those of the International Telecommunication Union (ITU). For example, its Office of Radio Spectrum Policy coordinates U.S. participation in World Administrative Radio Conferences (WARCs), and its Office of Telecommunications and Information Standards does the same in the area of international communications standards. While the State Department also develops policies on trade in telecommunications equipment and services, it generally defers to the expertise of other agencies,<sup>53</sup> and thus invariably selects government officials from the FCC or NTIA, or designates private firms to participate in international forums, rather than participating directly itself. The Office of the Under Secretary of State for Economic Affairs, through its Bureau of International Communications

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50. U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, *THE BIG PICTURE: HDTV AND HIGH-RESOLUTION SYSTEMS* 36-37 (1990).

51. See Carter, *Telecommunications Policy and U.S. National Security*, in *CHANGING THE RULES: TECHNOLOGICAL CHANGE, INTERNATIONAL COMPETITION, AND REGULATION IN COMMUNICATIONS* 221-53 (R. Crandall & K. Flamm ed. 1989).

52. U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, *DEFENSE INTERESTS AND UNITED STATES POLICY FOR TELECOMMUNICATIONS* (contractor report authored by Martin H. Edmonds) (June 1988) [hereinafter *DEFENSE INTERESTS*].

53. See Exec. Order 12,046 of Mar. 27, 1978, 47 C.F.R. §§ 590-608 (1989), discussed in *NTIA TELECOM 2000*, *supra* note 39, at 170-71, subject to the modifications noted in *DEFENSE INTERESTS*, *supra* note 52.



and Information Policy (CIP), acts to insure that the State Department's positions are presented in FCC proceedings (with letters, rather than formal comments). The Office of the Under Secretary of State for Economic Affairs handles issues of telecommunications trade and transborder data flow through its Bureau of Economic and Business Affairs.

### 5. *Other Executive Branch Agencies*

To the extent that communications issues arise within their jurisdiction, other executive agencies are also involved in the communication policy process. For example, the Department of Agriculture's Rural Electrification Administration (REA) is involved in the financing of rural telephone service; the Department of the Treasury is involved in the operation of electronic funds transfers (EFT); and the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), and the White House Office of Science & Technology are all participating in discussions about HDTV policies. Executive branch agencies are also major users of telecommunications services and radio spectrum and, as such, are important voices in relevant policy debates.

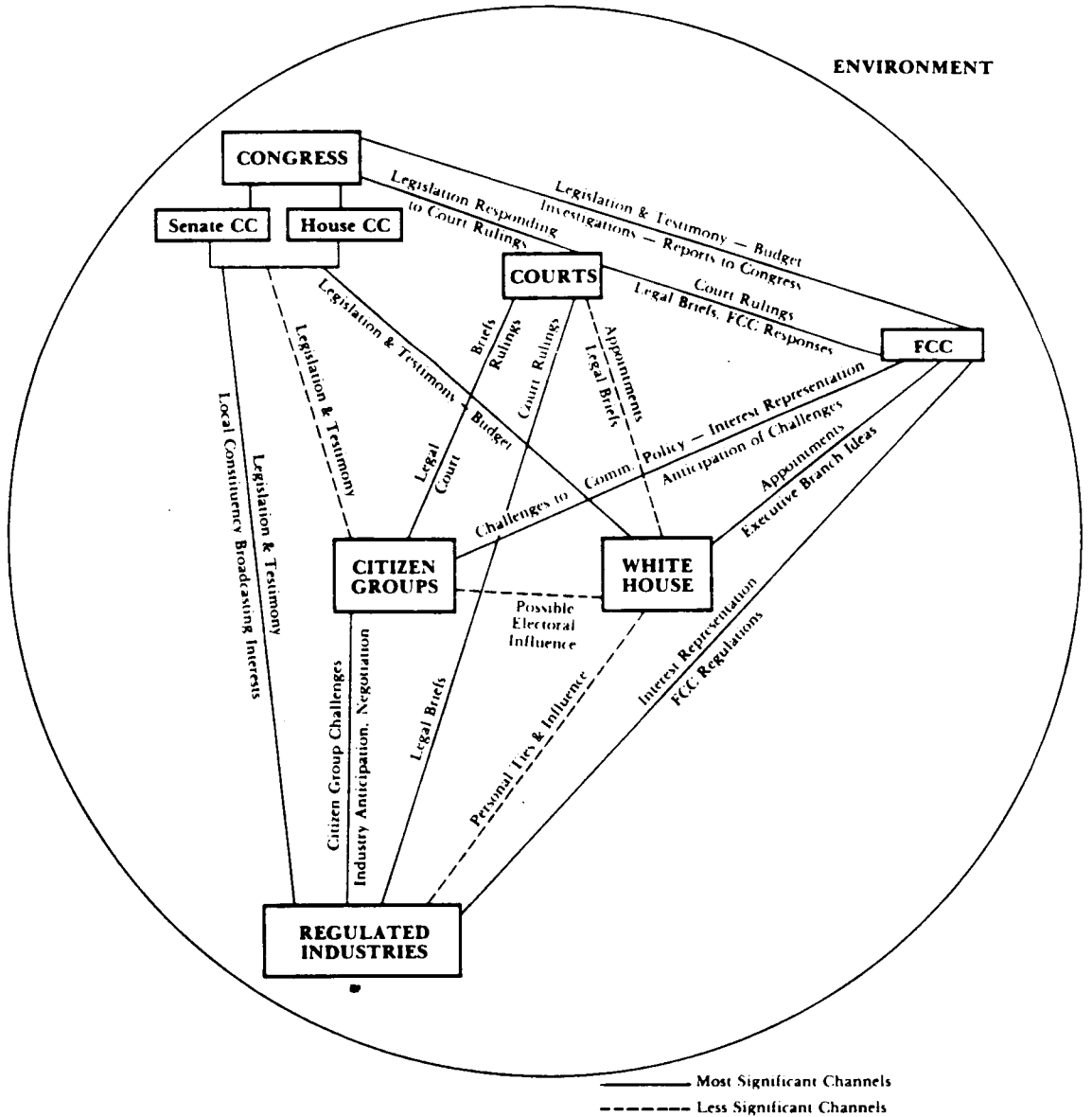
### D. The Courts

In theory, the role of the courts is simply to interpret the policy decisions that have been made by legislative and regulatory bodies to insure that such decisions are substantively consistent with the U.S. and other relevant State constitutions, and to insure that all relevant procedural standards have been satisfied. Nevertheless, not only are there many instances where laws involving communications seem to conflict, but many difficult policy issues have been left unresolved by the legislature. Courts must deal with these issues virtually without direction. The most notable examples of unsettled communications issues are those that have arisen with respect to copyright law.<sup>54</sup>

Thus, judges who review most decisions of the FCC, particularly those on the D.C. Circuit Court of Appeals, have a significant role in

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54. *See, e.g.,* Sony Corp. v. Universal Studios, Inc., 464 U.S. 417 (1984); *Fortnightly v. United Artists TV*, 392 U.S. 390, 402-03 (1968) (Fortas, J., dissenting) ("This case calls not for the judgment of Solomon, but for the dexterity of Houdini. We are here asked to consider whether and how a technical, complex, and specific Act of Congress, the Copyright Act, which was enacted in 1909, applies to one of the recent products of scientific genius and promotional genius, CATV. . . . Applying the normal jurisprudential tools—the words of the Act, legislative history, and precedent—to the facts of the case is like trying to repair a television set with a mallet.").



communications policy decisions.<sup>55</sup> While judges rarely maintain a continuing role in particular policy issues, Judge Harold Greene of the Federal District Court for the District of Columbia has become a major exception with respect to communications policy. Technically, Judge Greene is merely interpreting the antitrust law according to the AT&T consent decree,<sup>56</sup> but the substantial discretion he enjoys under the Tunney Act<sup>57</sup> probably makes him the single most powerful decisionmaker in U.S. communications policy today.<sup>58</sup> The diagram on the following page illustrates the universe of broadcast regulation, with the three major policymakers comprising the outer triangle.

## II

### State and Local Governments

Powers not granted to the federal government are retained by the states. Thus, states play a number of significant roles in communications policy, particularly regarding the regulation of telephone service and public education. States may also delegate significant powers to local governments, although the courts have required that such delegations be clear and explicit if they are to be protected by the state action exemption to the antitrust laws.<sup>59</sup> Policymakers from different states also work together on common issues through the Transportation, Commerce, and Communications Committee of the National Governors' Association, the National Conference of State Legislatures, and the National Association of Regulatory Utility Commissioners (NARUC), as mentioned below.

#### A. State Legislatures

All intrastate communications that are not subject to federal control are subject to regulation by the individual states. The states began to regulate telephone service in the early 1900s.<sup>60</sup> The 1934 Communications Act then explicitly denied the FCC jurisdiction with respect to spe-

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55. See Robinson, *The Judicial Role*, in COMMUNICATIONS FOR TOMORROW: POLICY PERSPECTIVES FOR THE 1980S 415 (G. Robinson ed. 1978); E. KRASNOW, *supra* note 10, at 64-65.

56. *United States v. American Tel. & Tel. Co.*, 552 F. Supp. 131 (D.D.C. 1981), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983).

57. Antitrust Procedures and Penalties Act, ch. 1, 15 U.S.C. §§ 16(b)-(h) (Supp. 1990).

58. In its annual survey of the most influential telecommunications leaders in the world, *Communications Week* ranked Greene second, after International Telecommunications Union (ITU) Secretary General Richard Butler. *1988's Top 25 Telecom Leaders*, *Communications Week*, Oct. 24, 1988, CloseUp, col. 3.

59. See *Community Comm. Co. v. City of Boulder*, 455 U.S. 40 (1982).

60. See Gabel, *The Early Competitive Era in Telephone Communication, 1893-1920*, 34 LAW & CONTEMP. PROB. 340 (1969).

cific areas of intrastate telephone service.<sup>61</sup> The states generally delegated full responsibility for such regulation of telephone service to public utility or public service commissions (PUCs or PSCs), although recently some state legislatures have passed sweeping deregulatory legislation<sup>62</sup> and others have established social contracts.<sup>63</sup> Since 1988, state legislatures have also been aided by a separate Communications Committee of the National Conference of State Legislatures. When cable television began to develop, most states left regulatory responsibility to the relevant local governments, but eleven states chose to regulate cable on a statewide basis.<sup>64</sup> The 1984 Cable Communications Act, however, preempted a significant amount of regulatory authority over cable systems.

#### B. State Public Utility or Public Service Commissions (PUCs or PSCs)<sup>65</sup>

State public utility or public service commissions spend only a part of their time on communications issues. All are comprised of an odd number of up to seven commissioners. In thirty-seven states they are appointed by the governor; in eleven others, they are elected by voters; in the remaining two states, they are elected by the state legislature.<sup>66</sup> The commissions are generally empowered to establish franchises and balance ratepayer interests against company finances.<sup>67</sup> They previously had the support of the FCC on these priorities until the FCC altered its goals and placed a greater emphasis on efficiency.<sup>68</sup> To present a united front, state commissions often act through their National Association of Regulatory Utility Commissioners (NARUC), and NARUC's Communications Committee, which has a staff and meets three times a year. Groups of states served by the same regional Bell [telephone] holding company (RBHC) have also established working groups to prevent the RBHCs

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61. See *Louisiana Pub. Serv. Comm'n v. FCC*, 476 U.S. 355 (1986). Nevertheless, for the most part the states and federal government pursued very similar goals until the 1970s. See Noam, *Federal and State Roles in Telecommunications: The Effects of Deregulation*, 36 VAND. L. REV. 949 (1983).

62. For example, Nebraska, as discussed at 16th Annual Telecom Policy Research Conference, at Airlie House, Virginia, Oct. 1988; see *Policy and Rules Concerning Rates for Dominant Carriers, Report and Order and Second Notice of Inquiry*, 4 FCC Rcd. 2873, paras. 108-110 (1989).

63. E.g., Vermont. U.S. CONGRESS, OFFICE OF TECHNOLOGY ASSESSMENT, STATE REGULATION OF TELECOMMUNICATIONS (contractor report authored by Paul E. Teske) 200 (July 1987) [hereinafter TESKE REPORT].

64. See D. BRENNER & M. PRICE, *supra* note 37, § 3.01[4], at 3-14 to -18.

65. This section is based on the TESKE REPORT, *supra* note 63.

66. *Id.*

67. These laws do not typically specify goals of efficiency, economic development, deregulation, or even universal service, although the latter has evolved into an important objective. *Id.* at 184.

68. See Noam, *supra* note 61, at 950.

from taking inconsistent positions when dealing with the different states. The states have formed five joint conferences for discussing policy and other issues. Some of the more significant institutions in which the state regulatory commissions participate are presented in BOX B and are listed in Appendix B.

**BOX B**

STATE REGULATORY COMMISSIONS AND POLICY INSTITUTIONS  
**National Association of Regulatory Commissioners (NARUC)**  
 Committee on Communications  
 Staff Subcommittee on Communications

**Federal-State Joint Boards & Conferences**  
 Joint Board on Alaska & Hawaii Rates, Dkt. 80-1376  
 Joint Board on Amendment of Part 67 (new Part 36), Dkt. 80-286  
 Joint Conference on Open Network Architecture (ONA), Dkt. 88-2

**NARUC Affiliates**  
 Great Lakes Conference of Public Utility Commissioners  
 Mid-America Regulatory Commissioners  
 North East Conference of Public Utility Commissioners  
 Southeastern Association of Regulatory Utility Commissioners  
 Western Conference of Public Service Commissioners

**Regional Bell Oversight Committees**  
 Ameritech Regional Oversight Committee  
 Southwestern Bell Oversight Committee  
 US West Regional Oversight Committee

As more and more issues require cooperation between the FCC and state PUCs, the FCC has established federal-state joint boards and conferences.<sup>69</sup> These enable state and federal representatives to work toward compromises as they seek to accommodate state and federal goals. NARUC is responsible for selecting the state commissioners to participate in the joint boards.

**C. State and Local Cable Television Franchising Authorities**

In most communities with cable television service, the cable franchise is regulated by a local franchising authority with limited powers.<sup>70</sup> In eleven states, however, the legislatures granted authority for franchising to a state agency and six of those states actually preempted

69. Joint boards and joint conferences are authorized under 47 U.S.C. § 410 (1988). For an evaluation of the federal-state joint boards, see R. SCHULTZ, *TWO-TIER REGULATION AND JOINT BOARDS IN AMERICAN TELECOMMUNICATIONS* (1987).

70. See D. BRENNER & M. PRICE, *supra* note 37, § 3.01[3], at 3-8.

local control.<sup>71</sup> In five of those six states, and two of the other five, the PUC or PSC handles cable regulation, and in the remaining four, separate state cable regulatory bodies handle such regulation.<sup>72</sup> Although the 1984 Cable Act<sup>73</sup> preempted much of their power, state and local governments are still responsible for overseeing the use of the public, educational, and government access channels, as well as establishing reasonable improvements to demand when the cable operator seeks to renew its franchise.<sup>74</sup> Municipalities generally express their position on national policy issues through the Communications committee of the National League of Cities, which actually negotiated with the cable industry to create the 1984 Cable Act.<sup>75</sup>

### III

#### International Institutions

##### A. The International Telecommunications Union (ITU)

The International Telegraph Union was formed by twenty countries in 1865. It merged with an organization created by the International Radiotelegraph Convention in 1934 and was renamed the International Telecommunications Union (ITU).<sup>76</sup> It now has a constituency of one hundred sixty-five member nations who help to regulate, plan, coordinate, and standardize worldwide communications. The ITU traditionally has acted through two primary committees: the International Telegraph and Telephone Consultative Committee (CCITT), which covers all telecommunications except radio, and the International Radio Consultative Committee (CCIR), which covers radio, although there has been discussion recently of combining them into a single unit.<sup>77</sup> The ITU also employs several other bodies for various specialized tasks.

The CCITT and CCIR generally adopt non-binding recommendations for technical standards, but the desire of countries to interconnect

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71. *Id.* § 3.01[4], at 3-15.

72. *Id.* at 3-15 to -16.

73. Pub. L. No. 98-549, 98 Stat. 2780 (1984) (codified at 47 U.S.C. §§ 521-59 (1988)).

74. See D. BRENNER & M. PRICE, *supra* note 37, § 301[4], at 3-7 to -8.

75. Cable Franchising and Regulation: A Local Government Guide to the New Law (1985), at I-19 to -22 (published by the National League of Cities and the U.S. Conference of Mayors, in cooperation with Arnold & Porter, Washington, D.C.); see Williams & Mahoney, *Perceived Impact of the Cable Policy Act of 1984*, 31 J. BROADCAST & ELECT. MEDIA 193, 193-95 (1987).

76. See J. BITTNER, BROADCAST LAW AND REGULATION 91 (1982).

77. See McKnight, *The CCIR: In Search of A Role*, in REFORMING THE GLOBAL NETWORK: THE 1989 ITU PLENIPOTENTIARY CONFERENCE (J. Savage ed. 1989); 1 SIMON FRASER UNIV., DEPT. OF COMMUNICATIONS, THE STANDARDS ENVIRONMENT FOR COMMUNICATIONS AND INFORMATION TECHNOLOGIES: A GUIDE 44-45 (1990) (authored by Liora Salter and Richard Hawkins) [hereinafter THE STANDARDS ENVIRONMENT].

generally makes them binding on almost all nations. The supreme body of the ITU, composed of representatives of all of the ITU member nations, meets in a plenipotentiary conference approximately once every seven years.<sup>78</sup>

1. *The International Telegraph and Telephone Consultative Committee (CCITT): All Telecommunications Except Radio*

The CCITT is responsible for setting standards for telegraph, telephone, and other various wireline [nonradio] systems, *i.e.*, all telecommunications except radio systems, networks, and services. It operates through scores of study groups and working parties meeting almost continuously. The CCITT has adopted more than 2000 standards, including its X.25 standard for interfaces between data terminal equipment and public data networks, as well as its standards for integrated services digital networks (ISDNs).<sup>79</sup> Members meet at the World Administrative Telegraph and Telephone Conference (WATTC).

2. *Radio Spectrum Management*

The field of radio is covered in three different forums.<sup>80</sup> First, there is the International Radio Consultative Committee (CCIR). It is responsible for developing and adopting standards in the form of recommendations for radio systems and networks and satellite orbital allocations. The CCIR holds plenary sessions approximately every four years, with the last one held in 1990. Second, the Administrative Radio Conferences (for the World (WARC) or a particular Region (RARC))<sup>81</sup> forge treaty agreements between members regarding plans and procedures for how particular frequency segments and orbital slots may be used. The next WARC, scheduled for 1992, will focus on the allocation of high frequency broadcasting and frequency bands. As telecommunications technology and its applications evolve ever more quickly, the formal treaty mechanisms are diminishing in importance. Finally, there is a five member International Frequency Registration Board (IFRB). Together with its Secretariat, the IFRB records and disseminates notices of the intended

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78. Interview with Anthony Rutowski, assistant to the Secretary of the ITU, in Airlie, Va., Oct. 2, 1990; see J. BITTNER, *supra* note 76, at 93.

79. See Besen & Saloner, *The Economics of Telecommunications Standards*, in CHANGING THE RULES: TECHNOLOGICAL CHANGE, INTERNATIONAL COMPETITION, AND REGULATION IN COMMUNICATIONS 177, 192 (R. Crandall & K. Flamm ed. 1989).

80. See Withers, *Spectrum Management Issues*, in REFORMING THE GLOBAL NETWORK: THE 1989 ITU PLENIPOTENTIARY CONFERENCE 46 (J. Savage ed. 1989).

81. The three regions are as follows: Europe, Africa, and North America; the Americas; and Asia and Oceania. 47 C.F.R. § 2.104 (1989). The next WARC is currently scheduled for 1992. See *In re ITU WARC for Dealing with Frequency Allocation in Certain Parts of the Spectrum*, Notice of Inquiry, 4 FCC Rcd. 8546 (1989).

uses of the spectrum and orbitals by international radio systems, especially satellites.

### 3. *Network Development and Policy Analysis*

A Telecommunications Development Bureau (BDT) and a Center for Telecommunications Development (CTD) conduct programs for planning domestic and regional telecommunications networks, improving the management of networks, obtaining financing, and analyzing economic policy. This is done by Geneva-based staff, as well as outside contractors. Additionally, the ITU conducts biennial symposia focusing on policy, technical, regulatory, and economic research.

#### B. **The International Organization for Standardization (ISO)**

The ISO is the world's primary body for developing information system standards with a process similar to that of the ITU bodies. As telecommunications systems have evolved into specialized information systems, the work of the two organizations has become increasingly integrated. Many new standards are adopted jointly by the ISO-ITU. One of the best known of the ISO standards is its seven layer open system interconnection (OSI) model.<sup>82</sup> The ISO also works with the International Electrotechnical Commission (IEC),<sup>83</sup> particularly the Joint Technical Committee on Information Technology (JTC1).<sup>84</sup>

## IV

### Other Institutions

#### A. **Domestic Standards Bodies**

U.S. standards are coordinated through a voluntary system by the American National Standards Institute (ANSI).<sup>85</sup> ANSI is a private nonprofit agency, although its membership includes about 30 government departments and agencies as well as about 1,000 private companies and 250 industrial and trade organizations.<sup>86</sup> Rather than actually setting standards itself, ANSI's role is to accredit and monitor more than 400 groups, including independent standards bodies and certification and testing organizations. ANSI is also responsible for representing the U.S. in the ISO and IEC forums.

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82. See generally Besen & Saloner, *supra* note 79.

83. See THE STANDARDS ENVIRONMENT, *supra* note 77, at 34-37.

84. *Id.* at 38.

85. *Id.* at 65-66.

86. *Id.*



Some of the more significant standards bodies accredited by ANSI include the Computer & Business Equipment Manufacturers Association (CBEMA)-sponsored X3 Committee, the Institute of Electrical and Electronic Engineers (IEEE), the Exchange Carrier Standards Association (ECSA) T1 Committee, and the Electronic Industry Association/ Telecommunications Industry Association (EIA/TIA). CBEMA's "X3 Committee" is the principal U.S. organization in the information technology standards area.<sup>87</sup> The IEEE deals with both information and communications technologies through its separate computer and communications societies.<sup>88</sup> ECSA was formed in 1983, after the AT&T divestiture, and its T1 Committee has the general mandate to develop and maintain technical standards relating to the interconnection and interoperability of telecommunications networks.<sup>89</sup> Finally, the TIA was formed in 1988 and acts as the telecommunication arm of the EIA. It is responsible for establishing standards to maintain compatibility and performance of communications related products.<sup>90</sup> The Bell companies joint research group Bellcore also undertakes substantial work on telecommunications standards.

## B. Communications Policy Journals

While editors of communications policy journals have no formal power over communications policy, they clearly influence the agenda and decisions of communications policymakers through the selection of topics and articles they publish. Although the pluralist theory of policymaking often neglects the early stages of policy formation (*e.g.*, journal articles and seminar and conference discussions), these are the forums where it is easiest for stakeholders to participate in the policymaking process and where proposals are most susceptible to modifications.<sup>91</sup> A number of journals are devoted almost exclusively to communications policies. Others cover communications policies as part of a more general focus. The journals generally publish articles written by and for lawyers or economists or other communications scholars with expertise in those areas. The major communications policy journals are listed in Box C. These and other journals are included in Appendix D.

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87. *Id.* at 69-70.

88. *Id.* at 70.

89. *Id.* at 73-76.

90. *Id.* at 76-78.

91. Mosco, *Pushbutton Fantasies: Critical Perspectives on Videotex and Information Technology*, in COMMUNICATION & INFORMATION SOURCE 33-36 (Ablex Publishing Corp. 1982).

**BOX C****MAJOR JOURNALS FOCUSING ON U.S. COMMUNICATIONS POLICY**

Cardozo Arts & Entertainment Law Journal

Communications and the Law

Communications Lawyer

Computer Law Journal: International Journal of Computers,  
Communication & Information Law

Federal Communications Law Journal

Gannett Center Journal

Hastings Communications & Entertainment Law Journal (COMM/ENT)

Information Economics & Policy

Journal of Broadcasting & Electronic Media

Journal of Communication

Journal of the Copyright Society

Journal of Media Economics

KMB Video Journal

Telecommunications Policy

Television Quarterly

Transnational Data Report (TDR)

**C. Communications Policy Research Centers**

The influence that communications policy research centers have on policymaking is similar to that of policy journals. Such research centers can help influence policymaking agendas or decisions through the issues they choose to focus on in research or seminars. Any university with a department of communications is apt to have scholars who examine communications policy issues, particularly if there is a degree program focusing on communications policy, but a number of institutions have formally established centers devoted to communications policy research. Most of them conduct a seminar series as well as having researchers on staff. The major centers are listed in Box D. These and other centers are included in Appendix D.

**D. Annual Conferences & Seminar Series**

Communications policies are also discussed and formulated during the sessions and intersession dialogues carried on at annual communications policy conferences and smaller, more frequent seminar series. The primary conferences and seminar series are listed in Appendix D.

**BOX D****MAJOR COMMUNICATIONS POLICY RESEARCH CENTERS**

**Center for Telecommunications & Information Studies (CTIS)**  
Columbia Univ. Graduate School of Business, New York, N.Y.

**Gannett Foundation Media Center**  
New York, N.Y.

**Joan Shorenstein Barone Center on the Press, Politics, and Public Policy**  
Harvard Univ. Kennedy School of Government, Cambridge, Mass.

**Harvard Program on Information Resources Policy**  
Harvard Univ., Cambridge, Mass.

**Annenberg Washington Program in Communications Policy Studies**  
Northwestern Univ., Washington, D.C.

**Center for Advanced Research in Telecommunications (CART)**  
Interdisciplinary Telecommunications Program  
Univ. of Colo., Boulder, Colo.

**International Center for Telecommunications Management**  
Univ. of Neb., Omaha, Neb.

**Center for Communications & Information Sciences and Policy**  
Univ. of Pa., Philadelphia, Pa.

**E. Foundations Funding Communications Policy Research**

Communications policy research is influenced by those with the financial resources to encourage, foster, and support research on policy issues that they are most concerned with. The foundations that are most involved in funding communications policy research are listed in Box E and Appendix D.

**F. Advocacy Groups**

Finally, communications policies are formulated, reviewed, and promoted by advocacy groups. These include individual firms affected by communications policies, but generally the positions of firms are presented by the industry's trade association. A list of major trade associations involved in communications policymaking is presented in Appendix D. A second group of advocates is the self proclaimed "public interest" group. In addition to those listed in Appendix D, most states have public counsel's offices that represent consumers in state forums.

Two other categories of participants who are heavily involved in communications policymaking are economists and lawyers. The mem-

BOX E  
FOUNDATIONS FUNDING COMMUNICATIONS POLICY RESEARCH

**Benton Foundation**

**Freedom of Expression Foundation**

**Gannett Foundation**

**John & Mary Markle Foundation**

**National Science Foundation**  
Information, Robotics & Intelligent Systems Division  
Information Technology & Organizations Program  
Information Technology Impacts & Policy

**Twentieth Century Foundation**

bers of these groups are not individually listed here because their numbers are so large. Not only are there numerous names, but no single source of such names exists. One relatively comprehensive list of these individuals is the mailing list used by the Telecommunications Policy Research Conference (TPRC) to solicit papers for their annual conferences. A useful source of lawyers involved in this field is the Federal Communications Bar Association's (FCBA's) annual directory. Not all lawyers involved in communications policymaking are members of the FCBA, however, and many of those individuals listed may not deal with policymaking. Many of the top legal scholars in this field can also be identified from listings in the legal journal indices under communications policy topics.

No particularly good single list of economists involved in research on communications policy issues exists. Other than the economists on the TPRC list, who certainly comprise a large portion of those most involved in this area, one can also consult NARUC's annual directory of consultants. Another less frequently updated source is the *American Economic Review* directory, published every four years. Many of the economists who list themselves under category 610 (industrial organization and public policy) or under category 630 (industry studies) are involved in communications policy research.

## V

### Conclusion

While great effort was made to compile a comprehensive directory with the most up-to-date information, it is likely that some entities were

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inadvertently omitted and that many recent developments will have already made some of the entries obsolete by the time this is published. In future months, additional changes will continue to occur. Ideally, this Directory will soon be available online and continuously updated. In any case, readers who have corrections or additions should send them to Mark Nadel in care of this journal.

# NAMES & PHONE NUMBERS

## APPENDIX A: FEDERAL

### I Legislative

#### A. Senate Committees & Subcommittees

Committee on Commerce, Science & Transportation	202-224-5111
Chair: Ernest Hollings	
Subcomm. on Communications	202-224-9340
Chair: Daniel Inouye	
Counsel (Common Carrier): John Windhausen, Jr.	
Counsel (Mass Media): Antoinette Cook	
Committee on the Judiciary	
Subcomm. on Antitrust, Monopolies & Business Rights	202-224-5700
Chair: Howard Metzenbaum	
Subcomm. on Patents, Copyrights and Trademarks	202-224-8100
Chair: Dennis DeConcini	
Committee on Foreign Affairs	
Subcomm. on International Economic Policy	202-224-4600
Chair: Paul Sarbanes	
Subcomm. on Terrorism, Narcotics, & International Operations	202-224-4600
Chair: John Kerry	

#### B. House Committees & Subcommittees

Committee on Energy and Commerce	202-225-2900
Chair: John Dingell	
Counsel for Communications: David Leach	
Subcomm. on Telecommunications & Finance	202-226-2400
Chair: Edward Markey	
Counsel for Telecommunications: Gerry Salemme	
Counsel for Mass Media: Larry Irving	
Committee on the Judiciary	
Subcomm. on Courts, Intellectual Property & the Administration of Justice	202-225-3900
Chair: William Hughes	
Subcomm. on Economic & Commercial Law	202-225-2800
Chair: Jack Brooks	
Committee on Government Operations	
Subcomm. on Government Information, Justice & Agriculture	202-225-3700
Chair: Robert Wise	
Subcomm. on International Operations	202-225-3400
Chair: Mervyn Dymally	

**C. Other**

Congressional Budget Office (CBO) Natural Resources of Commerce Division Unit Chief for Commerce: Elliot Schwartz	202-226-2940
Copyright Royalty Tribunal (CRT) Chair: Mario Aguero	202-653-5175
General Accounting Office (GAO)	202-275-5067
Library of Congress:	
Congressional Research Service (CRS) Science Policy Research Division Assistant Chief: Jane Bortnick	202-707-9547
Register of Copyrights (Library of Congress) Register: Ralph Oman	202-707-8350
Office of Technology Assessment (OTA) Communications & Information Technologies (CIT) Program Manager: James Curlin	202-228-6760

**II****Independent****A. Federal Communications Commission (FCC)**

Office of the Chairman Chairman: Alfred C. Sikes	202-632-6600
Common Carrier Bureau Chief: Richard Firestone	202-632-6910
Policy and Program Planning Division Chief: James Schlichting	202-632-9342
Office of International Communications Chief: Walda Roseman	202-632-6600
Mass Media Bureau Chief: Roy Stewart	202-632-6460
Policy and Rules Division Chief: Douglas Webbink	202-632-5414
Office of Plans and Policy Chief: Robert Pepper	202-653-5940

**B. Other**

Board of Governors of the U.S. Postal Service (USPS) Postmaster General: Anthony Frank	202-268-2000
Federal Trade Commission (FTC) Bureau of Consumer Protection Division of Advertising Practices: C. Lee Peeler	202-326-3090
Postal Rate Commission (PRC) Chairman: George W. Haley	202-789-6568

### III Executive

#### A. Department of Justice (DOJ)

Antitrust Division	202-633-2401
Assistant Attorney General: James Rill	
Regulatory Affairs	202-633-2404
Deputy Ass't Att'y General: Alison Smith	
Section on Communications & Finance	202-272-4247
Chief: Constance Robinson	

#### B. Department of Commerce

International Trade Administration	
Assistant Secretary of International Economic Development	202-377-3022
National Institute of Standards & Technology (NIST)	202-975-2000
Computer Systems Laboratory	301-975-2822
National Telecommunications & Information Admin. (NTIA)	
Office of the Director	202-377-1840
Assistant Secretary for Communications & Information: Janice Obuchowski	
Office of Policy Analysis & Development (OPAD)	202-377-1880
Director: William Maher	
Office of Spectrum Management (OSM)	202-377-1850
Interdepartment Radio Advisory Committee (IRAC)	202-377-0599
Frequency Management Advisory Council (FMAC)	202-377-1850

#### C. State Department

Bureau of International Communications & Information Policy	202-647-5727
Director: Bradley Holmes	
Office of Radio Spectrum Policy	202-647-2592
Director: Richard Shrum	
Office of Telecommunications & Information Standards	202-647-5230
Director: Earl Barbely	

#### D. Other

Department of Agriculture	202-382-1007
REA Legislative & Public Affairs	
Larry Casey	
Rural Electrification Administration (REA)	202-382-9540
Department of Defense (DOD)	703-692-6957
Office of Chief Regulatory Counsel	
Carl Smith	
Defense Advanced Research Projects Agency (DARPA)	202-545-6700
Defense Communications Agency (DCA)	703-692-0018
Assistant Secretary of Defense (ASD)	703-695-0348



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National Aeronautics & Space Administration (NASA)	202-453-8400
National Science Foundation (NSF)	202-357-9592 Fax: 357-7745
Office of Management & Budget (OMB) Budget Examiner: Ronald Jones	202-395-3914
White House Office of Science & Technology Assistant to the President: D. Allan Bromley	202-456-7116

## APPENDIX B: STATE INSTITUTIONS

### I

#### Multistate Groups

- A. National Conference of State Legislatures** 202-624-5400  
Staff Contact: Becky Brady
- B. National Governors' Association (NGA)**
- Committee on Transportation Commerce & Communications 202-624-7814  
Group Director: Charilyn Cowan Fax: 624-5313
- C. National Association of Regulatory Utility Commissioners (NARUC)**
- General Counsel 202-898-2200  
Admin. Director: Paul Rodgers (D.C.) Fax: 898-2213
- Committee on Communications (1941) 202-626-5110  
Chair: Patricia Worthy (D.C.) Fax: 638-2330
- Staff Subcommittee on Communications (1942) 208-334-0316  
Chair: Marsha Smith (Idaho)
- D. Federal-State Boards & Conferences**
- Joint Board on Alaska & Hawaii Rates, Docket 83-1376 517-334-6240  
Susan Knowles (Alaska) Fax: 882-4640  
Staff Chair: Ronald Choura (Mich.)
- Joint Board on Amendment of Part 67 (new part 36), 517-334-6240  
Docket 80-286 Fax: 882-4640  
Thomas Beard (Fla.)  
Staff Chair: Ronald Choura (Mich.)
- Joint Conference on Open Network Architecture (ONA), 515-281-5611  
Docket 88-2 Fax: 281-5329  
Thomas Beard (Fla.)  
Staff Chair: Mark Jamison (Iowa)
- E. NARUC Affiliates**
- Great Lakes Conference of Public Utility Commissioners 301-333-6066  
Conference Manager: Ronald Hawkins (Md.)
- Mid-America Regulatory Commissioners 501-682-1451  
President: Patricia Qualls (Ark.)
- New England Conference of Public Utility Commissioners, Inc. 207-622-7694  
Executive Director: Ralph Gelder (Me.)
- Southeastern Association of Regulatory Utility Commissioners 615-341-3668  
Executive Director: Susan Callaghan (Tenn.)
- Western Conference of Public Service Commissioners 415-557-3474  
Coordinator: Sandi Barsell (Cal.)

**F. Regional Bell Oversight Committees**

Ameritech Regional Oversight Committee Staff Chair: Ron Choura (Mich.)	517-334-6240
Southwestern Bell Regional Oversight Committee Paul Peterson (Mich.)	314-751-7491
US West Regional Oversight Committee Joe Miller (Idaho)	208-334-3427

**II****State Commissions**

(\*including Cable TV Regulations)

Alabama Public Service Commission Montgomery	205-242-5209 Fax: 240-3079
Alaska Public Utilities Commission* Anchorage	907-276-6222 Fax: 276-0160
Arizona Corporation Commission Phoenix	602-542-3076 Fax: 542-4870
Arkansas Public Service Commission Little Rock	501-682-1794 Fax: 682-5731
California Public Utilities Commission San Francisco	415-557-0647 Fax: 557-1923
Colorado Public Utilities Commission Denver	303-894-2070
Connecticut Dept of Public Utility Control* New Britain	203-827-1553 Fax: 827-2613
Delaware Public Service Commission* Dover	302-736-4247 Fax: 736-4849
District of Columbia Public Service Commission Washington	202-626-5100 Fax: 638-2330
Florida Public Service Commission, Div. of Administration Tallahassee	904-488-4733 Fax: 487-0509
Georgia Public Service Commission Atlanta	404-656-7491 Fax: 487-2341
Hawaii Department of Commerce & Consumer Affairs CATV Division Honolulu	808-548-6200
Hawaii Public Utilities Commission Honolulu	808-548-3990 Fax: 548-4376
Idaho Public Utilities Commission Boise	208-334-0300 Fax: 334-3762
Illinois Commerce Commission Springfield	217-782-5778 Fax: 782-1042
Indiana Utility Regulatory Commission Indianapolis	317-232-2701 Fax: 232-6758

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Iowa State Utilities Board Des Moines	515-281-5979 Fax: 281-5329
Kansas Corporation Commission Topeka	913-296-3355 Fax: 296-3596
Kentucky Public Service Commission Frankfort	502-836-3940 Fax: 836-7279
Louisiana Public Service Commission Baton Rouge	504-342-4427
Maine Public Utilities Commission Augusta	207-289-3831 Fax: 289-1039
Maryland Public Service Commission Baltimore	301-333-6000 Fax: 333-6495
Massachusetts Community Antenna TV Commission Boston	617-727-6925
Massachusetts Dept. of Public Utilities Boston	617-727-3500 Fax: 723-8812
Michigan Public Service Commission Lansing	517-334-6422 Fax: 882-5170
Minnesota Cable Communications Board St. Paul	612-292-2545
Minnesota Public Utilities Commission St. Paul	612-296-7124 Fax: 297-1959
Mississippi Public Service Commission Jackson	601-961-5400 Fax: 297-5469
Missouri Public Service Commission Jefferson City	314-751-3234 Fax: 751-1847
Montana Public Service Commission Helena	406-444-6169 Fax: 444-7618
Nebraska Public Service Commission Lincoln	402-471-3101 Fax: 471-0254
Nevada Public Service Commission* Carson City	702-687-6001 Fax: 687-6110
New Hampshire Public Utilities Commission Concord	603-271-2431 Fax: 271-3878
New Jersey Board of Public Utilities Newark	201-648-2026 Fax: 648-2836/4298
New Jersey Board of Public Utilities Office of Cable Television Newark	201-648-2670
New Mexico Public Service Commission Santa Fe	505-827-6940 Fax: 827-6973
New York Commission on Cable Television Albany	518-474-4992
New York Public Service Commission Albany	518-474-2510 Fax: 474-7146
North Carolina Utilities Commission Raleigh	919-733-4249 Fax: 733-7300

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North Dakota Public Service Commission Bismarck	701-224-2400 Fax: 224-2410
Ohio Public Utilities Commission Columbus	614-466-3016 Fax: 466-9546
Oklahoma Corporation Commission Oklahoma	405-521-2261 Fax: 521-6045
Oregon Public Utility Commission Salem	503-378-5849 Fax: 373-7752
Pennsylvania Public Utility Commission Harrisburg	717-783-1740 Fax: 787-4193
Rhode Island Public Utilities Commission* Providence	401-277-3500 Fax: 277-6805
South Carolina Public Service Commission Columbia	803-737-5100 Fax: 737-5199
South Dakota Public Utilities Commission Pierre	605-773-3201 Fax: 773-3686
Tennessee Public Service Commission Nashville	615-741-3668 Fax: 741-2336
Texas Public Utility Commission Austin	512-458-0100 Fax: 458-8340
Utah Public Service Commission Salt Lake City	801-530-6716 Fax: 530-6796
Vermont Public Service Board Montpelier	802-828-2358 Fax: 828-2342
Virginia State Corporation Commission Richmond	804-786-3608 Fax: 371-7376
Washington Utilities and Transportation Commission Olympia	206-753-6423 Fax: 586-1150
West Virginia Public Service Commission Charleston	304-340-0300 Fax: 340-0325
Wisconsin Public Service Commission Madison	608-266-2001 Fax: 266-3957
Wyoming Public Service Commission Cheyenne	307-777-7427 Fax: 777-5700

### III Multi-City Groups

National League of Cities Transportation & Communications Committee Policy Analyst: Anna Ferrara	202-626-3030
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## APPENDIX C: INTERNATIONAL

### I. International Standards Organization (ISO)

Geneva, Switz.  
Michael Smith

41-22-734-1240

### II. International Telecommunications Satellite Organization

Washington, D.C.  
Director General: Dean Burch

202-944-7800

### III. International Telecommunications Union (ITU)

Telecommunications Development Bureau  
Center for Telecommunications Development  
Geneva, Switz.  
Pekka Tarjanne

41-22-730-5115

Consultative Commission on Radio Communications (CCIR)  
Geneva, Switz.  
Richard Kirby

41-22-730-5800

Consultative Commission on Telegraph & Telephone (CCITT)  
Geneva, Switz.  
Theodore Irmer

41-22-730-5851

International Frequency Registration Board  
Geneva, Switz.  
Gary Brooks

41-22-730-5788

### IV. World Intellectual Property Organization (WIPO)

Geneva, Switz.  
Arpad Bogsch

41-22-730-9111

## APPENDIX D: OTHER INSTITUTIONS

### I

#### Domestic Communications Standards Bodies

American National Standards Institute (ANSI) New York, N.Y.	212-642-4900
Computer & Business Equipment Management Association (CBEMA) Manager of Communications: Maryann Karinch	202-737-8888 Fax: 638-4922
Electronic Industry Association/Telecommunications Industry Association (EIA/TIA)	202-457-4912
Exchange Carrier Standards Association (ECSA)	301-564-4505
Institute of Electrical & Electronics Engineers	212-705-7900

### II

#### Communications Policy Journals

(including address, year first published,  
number of issues per year, and editor *with a*  
*description of topics covered for*  
*those journals in Box C*)

Cable TV & News Media New York, N.Y. (1983) David M. Rice, Michael Botein	212-741-8300
Canadian Journal of Communication McGill University, Montreal, Quebec University of Calgary, Calgary, Alberta (1974) Gertrude Robinson	403-220-7578 Fax: 282-6837
Cardozo Arts & Entertainment Law Journal Benjamin Cardozo Law School New York, N.Y. (1982, 2/yr) Benjamin Cardozo Law School students <i>Scholarly articles on communications and entertainment law.</i>	212-790-029
Channels: The Business of Communications New York, N.Y. (1981, 2/mo.) Merrill Brown	212-545-5100
Columbia Journalism Review Columbia University School of Journalism New York, N.Y. (1961, 6/yr) Suzanne Levine	212-854-1881
Communications and the Law Westport, Conn. (1978, 2/mo.) Judge Theodore Kupferman <i>Scholarly articles on communications law.</i>	203-340-0447

- Communications Lawyer** 202-429-7254  
 ABA Forum Committee on Communications Law 202-872-6700  
 Washington, D.C. (1983, 4/yr)  
 David Leibowitz & Marcia Cranberg  
*Short articles and debates on communications law.*
- Communications Trends** 213-740-0916  
 Annenberg School of Communications (USC) 213-740-2313  
 Los Angeles, Cal. (1989)
- Computer Law Journal: International Journal of Computers,  
 Communications & Information Law** 213-740-9244  
 USC Law Center 213-740-7979  
 Los Angeles, Cal. (1978, 4/yr.)  
 USC Law School students  
*Scholarly articles on information law.*
- The Computer Lawyer** 213-552-2500  
 Prentice Hall Law & Business  
 Los Angeles, Cal. (1984)  
 Miles Gilburne
- Federal Communications Law Journal** 213-825-3712  
 UCLA Law School  
 Los Angeles, Cal. (1947, 3/yr)  
 UCLA Law School students  
*Scholarly articles on communications law.*
- Free Speech Yearbook** 618-453-2281  
 Speech Communication Association  
 Southern Illinois University Press  
 Carbondale, Ill. (1961, 1/yr.)  
 Raymond Rodgers  
*Scholarly articles on first amendment issues.*
- Gannett Center Journal** 212-280-8392  
 Gannett Foundation Media Center  
 New York, N.Y. (1987, 4/yr)  
 Everette Dennis & Huntington Williams III  
*Medium length articles on a single theme (per issue)  
 involving mass media for the general reader.*
- Hastings Communications & Entertainment Law Journal  
 (COMM/ENT)** 415-565-4731  
 Fax: 565-4814  
 Hastings College of the Law  
 San Francisco, Cal. (1977, 4/yr)  
 Hastings Law School students  
*Scholarly articles on communications, entertainment,  
 high technology, sports, music, and art law.*
- Information Economics & Policy** 415-723-2297  
 Stanford University  
 Palo Alto, Cal. (1983, irregular)  
 Roger Noll  
*Scholarly articles on communications economics.*
- IEEE Spectrum** 212-705-7555  
 Institute of Electrical and Electronics Engineers  
 New York, N.Y. (1963)  
 Donald Christiansen



- Intermedia** 01-388-0671  
 International Institute of Communications  
 London, Eng. (1972)  
 Rex Malik
- Journal of Broadcasting & Electronic Media** 413-545-0759  
 Broadcast Education Association 413-545-0131  
 Washington, D.C. (1956, 4/yr)  
 Alison Alexander  
*Scholarly articles on broadcasting law, economics, advertising, and audience impact.*
- Journal of Communication** 215-898-6685  
 Annenberg School for Communication (U Penn)  
 Philadelphia, Pa. (1974, 4/yr)  
 George Gerbner & Marsha Siefert  
*Scholarly articles on communications stressing social aspects.*
- Journal of the Copyright Society** 212-707-8396  
 Columbia University Law Center  
 New York, N.Y. (1953, 4/yr)  
 William Patry  
*Scholarly articles on copyright law.*
- Journal of Media Economics** 714-773-3517  
 California State University  
 Fullerton, Cal. (1988, 2/yr)  
 Robert Picard  
*Scholarly articles on media economics.*
- Journal of Media Law & Practice**  
 The University  
 Glasgow, Scot. (1980, 4/yr.)
- Journal of Regulatory Economics** 201-648-5049  
 Rutgers University Graduate School of Management  
 Newark, N.J. (1989)  
 Michale Crew
- Jurimetrics Journal of Law, Science & Technology** 602-965-2124  
 Arizona State University College of Law  
 Tempe, Ariz. (1959)  
 Mark Hall
- KMB Video Journal** 401-466-2860  
 KMB Associates  
 Block Island, R.I. (1984, 12/yr)  
 Mike Beillis  
*Videotaped discussions of communications policy topics.*
- National Regulatory Research Institute Quarterly** 614-422-9404  
 Columbus, Ohio (1980)  
 David Wagman
- Prometheus: The Journal of Issues in Technological Change, Innovation, Information Economics & Science Policy** Fax: (617)371-5896  
 Information and Research Unit, Department of Economics Telex: UN1Y2LD  
 St. Lucia, South Melbourne, Aust. (1983, 2/yr.) AA 40315  
 Donald M. Lamberon
- Public Utilities Fortnightly** 703-243-7000  
 Arlington, Va. (1931)

- |  |                |
|--|----------------|
| Rand Journal on Economics (formerly Bell Journal)<br>RAND Corporation<br>Santa Monica, Cal. (1970, 4/yr)<br>James R. Hosek   | 213-393-0411   |
| Regulation<br>CATO Institute<br>Washington, D.C. (1976, 4/yr)<br>Chairman: William Niskanen  | 202-546-0200   |
| Rutgers Computer & Technology Law Journal<br>Rutgers Law School<br>Newark, N.J.<br>Rutgers Law School students   | 201-648-5549   |
| Telecommunication Journal<br>International Telecommunication Union<br>Geneva, Switz. (1934)<br>Michale Woolky  | 41-22-730-5234 |
| Telecommunications Policy<br>Surrey, Eng. (1976, 6/yr)<br>Colin Blackman<br><i>Medium length scholarly articles on domestic and international communications law, and economics.</i> | 44-0954-31931  |
| Television Quarterly<br>National Academy of Television Arts & Sciences<br>New York, N.Y. (1962, 4/yr)<br>Richard Pack  | 212-586-8424   |
| Transnational Data Report (TDR)<br>Springfield, Va. (1978, 12/yr)<br>Russell Pipe<br><i>Medium length articles on policy and regulation of international trade in data services.</i> | 703-323-9116   |
| Washington Journalism Review<br>University of Maryland College of Journalism<br>Washington, D.C. (1977)<br>Bill Monroe   | 202-513-0001   |
| Yale Journal of Regulation<br>Yale Law School<br>New Haven, Conn. (1983)<br>Yale Law School students   | 203-432-4861   |

### III

#### Communications Policy Research Centers (alphabetized by institution, with the director of the center and year founded)

##### A. Primary Centers

- |                                     |              |
|-------------------------------------|--------------|
| Bellcore<br>Livingston, N.J. (1982) | 201-740-9870 |
|-------------------------------------|--------------|

- 
- Berkeley Roundtable on The International Economy (BRIE) 415-642-3067  
Berkeley, Cal.  
Steven Cohen & John Zysman
- The Brookings Institute 202-797-6200  
Washington, D.C.  
Robert Crandell
- Carnegie Mellon University & Bellcore 202-797-6291  
Information Networking Institute 412-268-7195  
Pittsburgh, Pa. (1989)  
Marvin Sirbu
- Catholic University Law School 202-319-5140  
Communications Law Institute  
Washington, D.C. (1982)  
Harvey Zuckman
- City University of New York (CUNY) 212-642-2984  
Stanton Haskell Center for Public Policy &  
Telecommunications & Information Systems  
New York, N.Y. (1987)  
Helen Birenbaum
- College of William & Mary Law School 804-221-3810  
Institute of Bill of Rights Law  
Williamsburg, Va. (1982)  
Rodney Smolla
- Columbia University Graduate School of Business, 212-854-4222  
Center for Telecommunications & Information Studies (CTIS) Fax: 932-7816  
New York, N.Y. (1983)  
Eli Noam
- Fordham University 212-579-2693  
Donald McGannon Communications Research Center Fax: 579-2708  
Bronx, N.Y. (1986)  
James Capo
- Gannett Foundation Media Center 212-280-8392  
New York, N.Y. (1984) Fax: 280-5726  
Everette Dennis
- George Washington University 202-994-5250  
Telecommunications Program Fax: 994-5232  
Washington, D.C. (1971)  
Chris Sterling
- Harvard University 617-495-4114  
Harvard Program on Information Resources Policy  
Cambridge, Mass. (1986)  
Anthony Oettinger
- Harvard University Kennedy School of Government 617-495-8269  
Joan Shorenstein Barone Center on the Press,  
Politics, & Public Policy  
Cambridge, Mass. (1986)  
Marvin Kalb

- 
- Indiana University  
Telecommunications Program  
Bloomington, Ind.  
Walter Gantz 812-855-1621
- Massachusetts Institute of Technology  
Media Lab Communications Research Program  
Cambridge, Mass. (1983)  
Russell Neuman 617-253-6630  
Fax: 258-6264
- Massachusetts Institute of Technology  
Research Program on Communications Policy  
Cambridge, Mass. (1973)  
Harvey Sapolsky 617-253-5265  
Fax: 258-7858
- Massachusetts Institute of Technology Sloan School of Management  
Research Program in Telecommunications  
Cambridge, Mass. (1988)  
Jerry Hausman 617-253-3644
- Michigan State University  
Communications Technology Laboratory (CTL)  
East Lansing, Mich.  
Carrie Heeter 517-353-3794  
517-355-3410
- Michigan State University  
Institute of Public Utilities  
East Lansing, Mich. (1966)  
Harry Trebing 517-355-1876
- Michigan State University  
Program on Telecommunications  
East Lansing, Mich. (1958)  
Barry Litman 517-355-8372
- National Association of Regulatory Utility Commissioners (NARUC)  
National Regulatory Research Institute (NRRI)  
Columbus, Ohio (1976)  
Douglas Jones 614-292-9404
- New York Law School  
Communications Media Center  
New York, N.Y. (1977)  
Michael Botein 212-431-2160
- Northern Telecom & the Aspen Institution  
Institute for Information Studies  
Nashville, Tenn. (1987)  
John Hindle 615-734-4000
- Northwestern University  
Annenberg Washington Program in Communication Policy  
Studies  
Washington, D.C. (1983)  
Newton N. Minow 202-393-7100  
Fax: 638-2745
- Northwestern University  
Telecommunications Science, Management & Policy  
Evanston, Ill. (1988)  
James Webster 708-491-3539

- 
- Ohio State University  
Center for Advanced Study in Telecommunications (CAST)  
Columbus, Ohio (1988)  
James E. Meeks  
614-292-8444  
Fax: 292-2055
- San Diego State University  
Center for Communications  
San Diego, Cal.  
Herman Land  
619-265-6933
- Stanford University  
Program on Regulatory Policy Center for Economic Research  
Palo Alto, Cal. (1950s)  
Steven Chaffee  
415-723-2297  
Fax: 723-8611
- Temple University  
Program on Telecommunications Management & Policy  
Philadelphia, Pa.  
Herbert Dordick  
215-787-5181
- UCLA Law School  
Communications Law Program  
Los Angeles, Cal. (1937)  
Dan Brenner  
213-825-3712
- University of Colorado  
Center for Advanced Research in Telecommunications (CART)/  
Interdisciplinary Telecommunications Program  
Boulder, Colo. (1989)  
Joseph Pelton  
303-492-8916  
Fax: 492-1112
- University of Colorado School of Journalism & Mass Media  
Center for Mass Media Research  
Boulder, Colo. (1988)  
Dr. Michael Tracey  
303-492-1357
- University of Florida  
Brechtner Center for Freedom of Information  
Gainesville, Fla. (1977/85)  
Bill Chamberlin  
904-392-2273
- University of Florida  
Public Utilities Research Center  
Gainesville, Fla. (1971)  
Sandford Berg  
904-392-6148
- University of Hawaii  
East-West Center  
Honolulu, Haw.  
Marcellus Snow & Mehenloo Jussuwella  
808-944-7111
- University of Illinois  
Institute of Communications Research  
Champaign, Ill. (1946)  
Howard Maclay  
217-333-1549
- University of Mississippi  
Center for Telecommunications  
University, Miss. (1985)  
Stacy Holmes  
601-232-7779  
Fax: 232-7796

University of Nebraska International Center for Telecommunications Management Omaha, Neb. (1989) James Alleman	402-554-2647 Fax: 554-3363
University of Pennsylvania Annenberg School of Communication Philadelphia, Pa. (1959) Dean Kathleen Jamieson	215-898-7041 Fax: 898-2024
University of Pennsylvania Center for Communications & Information Sciences and Policy Philadelphia, Pa. (1986) Kenneth Laker (Acting Director: David Farber)	215-898-9494 Fax: 898-1130
University of San Francisco McLaren School of Business Telecommunications Management and Policy Program San Francisco, Cal. (1986) Heather Hudson	415-666-6642 Fax: 666-2502
University of Southern California Annenberg School of Communication Los Angeles, Cal. (1989) Dean Peter Clarke	213-740-6860 Fax: 746-5367
University of Texas Center for Research on Communications Technology & Society Austin, Tex. (1985) Fred Williams	512-471-5826 Fax: 471-8500
University of Virginia Thomas Jefferson Center for the Protection of Free Expression Charlottesville, Va. (1990) Robert O'Neil	804-295-4784
Woodrow Wilson Center Media Studies Project Washington, D.C. (1988) Lawrence Lichty	202-287-3000 ext. 333 Fax: 287-3772

## IV

### Conferences & Seminars

#### A. Annual Conferences

Broadcast/Cable Interface Broadcasting Magazine & Federal Communications Bar Association Washington, D.C. (1987, June) Don West & Richard Wiley	202-659-2340   202-429-7010
IEEE Global Commission (GlobeCom) IEEE Communications Society site varies (1970, Dec.) Carol Lof	212-705-7018

IEEE International Conference on Communications (ICC) IEEE Communications Society site varies (1962, June) Carol Lof	212-705-701
International Communications Association (ICA) site varies (1947, Spring) Don Ware	214-233-388 202-429-701
International Telecommunications Symposium International Center for Telecommunications Management University of Nebraska, Omaha, Neb. (1989, Oct.) James Alleman	402-554-264
Michigan State Williamsburg Conference Williamsburg, Va. (1967, Dec.) Harry Trebbing	517-355-187
NARUC Technical Educational Conference (TEC) Alternating years since 1976 Washington, D.C. (Feb.) San Francisco or Los Angeles, CA (July) Harry Trebbing	517-355-187
New Directions for State Telecommunications Regulations University of Utah/Utah State PSC site varies in Utah (1985, Jan./Feb.) Claire Turner	801-581-580
Pacific Telecommunications Conference Pacific Telecommunications Council Honolulu, Haw. (1978, Jan.)	808-941-378
Practicing Law Institute (PLI) Communications Law Program New York, N.Y. (1972, Nov.) Lyn Oliensis & James Goodale	212-765-570 212-909-625
Telecommunications Federal Communications Bar Association & Practicing Law Institute Washington, D.C. (1982, Oct.) Richard Wiley	202-429-701
Telecommunications Policy Research Conference (TPRC) Airlie House Airlie, Va. (1972, Oct.) Dawn Higgins	202-452-903
Temple University Symposium on Telecommunications Temple University Philadelphia, Pa. (1988, Fall)	215-787-515
University of Missouri/Missouri PSC Annual Conference site varies Mo. (1974, Apr.) Richard Williams	314-882-639

## B. More Frequent Seminars

American Bar Association Forum on Communications Law Chicago, Ill. (1979, irregular schedule) Chair: Patricia Reilly	312-988-5579 202-429-7289
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Aspen Institute Program on Communications & Society (1976, irregular schedule) Director: Charles Firestone	202-637-6677 Fax: 637-9195
Center for Telecommunications & Information Studies Columbia University Graduate School of Business New York, N.Y. (1983, 6/yr) Douglas Conn	212-854-4222
Federal Communications Bar Association Washington, D.C. (1936, monthly) Mary Balinsky	202-833-2684
Gannett Foundation Media Center New York, N.Y. (1984, irregular schedule) Everette Dennis	212-280-5726
The Media Institute Washington, D.C. (1983, irregularly) Director of Programs & Communications: Sharon Anthony	202-298-7512
MIT Communications Forum Cambridge, Mass. (1973, weekly) Harvey Sapolsky & Rena Themistocles	617-253-5265 Fax: 258-7858
New York Law School Communications Media Center New York Law School New York, N.Y. (1977, monthly) Michael Botein	212-431-2160
Annenberg Washington Program in Communication Policy Studies Northwestern Univ. Washington, D.C. (1984, irregularly) Chairman: Newton N. Minow	202-393-7100
Program on Information Resources Policy Harvard University Cambridge Mass. (1972, biweekly) Anthony Oettinger	617-495-4114
Public Service Satellite Consortium Washington, D.C. (1983, bi-monthly) President: Dr. Louis R. Bransford	202-863-0890 Fax: 863-0897

## V

### Foundations Funding Communications Policy Research (including director and year initiated)

Benton Foundation Washington, D.C. (1980) Exec. Director: Larry Kirkman	202-857-7829 Fax: 857-7841
Freedom of Expression Foundation California State University Long Beach, Cal. (1983) Craig Smith	213-598-3444
Gannett Foundation Arlington, Va. (1935) President: Charles Overby	703-528-0800



John and Mary Markle Foundation New York, N.Y. (focus on communications since 1969) President: Lloyd Morriset	212-489-6655
National Science Foundation Information, Robotics & Intelligent Systems Division Information Technology & Organizations Program Information Technology Impacts & Policy Washington, D.C. (1973) Deputy Director: Larry Rosenberg	202-357-9592 Fax: 357-7745
Twentieth Century Fund New York, N.Y. (focus on communications since 1967) Michelle Miller	212-535-4441

## VI

### Advocacy Groups

#### A. Some of the Major Trade Associations

American Newspaper Publishers Association (ANPA) Senior Vice President: W. Terry McGuire	703-648-1061 Fax: 648-1237
American Telemarketing Association (ATA) Director: Chris Deschermeier	203-965-5193 Fax: 324-1780
Association of Data Communications Users, Inc. (ADCU) Computer Software & Services Industry Assoc. (ADAPSO) Senior Director of Gov't Relations: David Peyton	612-881-6803 703-522-5055 Fax: 525-2279
Association of Independent Television Stations Vice President of Legal & Legislative Affairs: David Donovan	202-887-1970 Fax: 887-0950
Association for Maximum Service Television President: Magita White	202-462-4351 Fax: 462-5335
Cellular Telecomm Industry Association (CTIA) Director of Federal Relations: Jo-Anne Basile	202-785-0081 Fax: 785-0721
Committee of Corporate Telecommunication Users President: Walt Anderson	202-457-0900 Fax: 775-2496
Communication Workers of America (CWA) Executive Vice President: Barbara Easterling	202-728-2300 Fax: 659-1094
Community Antenna Television Association (CATA) President: Steve Effros	703-691-8875 Fax: 691-8911
Competitive Cable Association Counsel: Sol Schildhause	202-797-7500 Fax: 328-2423
Competitive Telecommunications Association (Comptel) Vice President & General Counsel: Ginny Morelli	202-546-9022 Fax: 546-1847
Computer & Business Equipment Manufacturers Assoc. (CBEMA) Manager of Communications: Maryann Karinch	202-737-8888 Fax: 638-4922
Direct Marketing Association (DMA) Senior Vice President of Gov't Affairs: Richard Barton	202-347-1222 Fax: 785-2231
Independent Data Communication Manufacturer Assoc. (IDCMA) Attorney: Herbert Marks	202-626-6600 Fax: 626-6780

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Information Industry Association (IIA) Senior Vice President: Ken Allen	202-639-8260 Fax: 638-4403
International Communications Assoc (ICA) Director of Telecomm Public Policy: William Pomeroy	202-659-9464 Fax: 296-6518
International Teleconferencing Association Manager: Jodi Moon	202-833-2549 Fax: 821-3263
Magazine Publishers Association (MPA) Executive Vice President: George Gross	202-296-7277 Fax: 296-0343
Motion Picture Association of America (MPAA) Sr. Vice President For Gov't Relations: Fritz Attaway	202-293-1966 Fax: 293-7674
National Association of Broadcasters (NAB) Exec. Vice President of Gov't Relations: James May	202-429-5300 Fax: 429-5343
National Association of Business & Educational Radio President: Jay Kitchen	703-739-0300 Fax: 836-1608
National Association of Public TV Stations (NAPTS) Vice President: Richard Grefe	202-887-1700
National Assoc. of Telecom Offices & Advisors (NOTOA) President: Susan Herman; Past President: Paul G. Berra	202-626-3160
National Cable Television Association (NCTA) Director of Public Information: John Wolfe	202-775-3550 Fax: 775-3675
National Federation of Local Cable Programmers (NFLCP) Operations Manager: Reginald Carter	202-829-7186
National Newspaper Association (NNA) General Counsel: Robert Brinkmann	202-466-7200 Fax: 331-1403
National Telephone Cooperative Association (NTCA) Director of Gov't Affairs: Shirley Bloomfield	202-298-2300 Fax: 298-2320
North American Telecommunications Association (NATA) President: Edwin Spievack	202-296-9800 Fax: 296-4993
Organization for the Protection & Advancement of Small Telephone Companies (OPASTCO) General Counsel: Lisa Zaina	202-659-5990 Fax: 659-4619
Radio Television News Directors Association (RTNDA) President: David Bartlett	202-659-6510 Fax: 223-4007
Recording Industry Association of America (RIAA) Executive Vice President of Gov't Affairs & Business: Hilary Rosen	202-775-0101 Fax: 775-7253
Reporters Committee for Freedom of the Press Executive Director: Jane Kirtley	202-466-6312
Satellite Broadcasting & Communications Association President: Charles Hewitt	703-549-6990 Fax: 549-7640
Utilities Telecommunications Council (UTC) Associate General Counsel: Jeffrey Shelden	202-872-0030 Fax: 872-1331
Telecommunication Industry Association (TIA) Director of Gov't Relations: Patrick Williams	202-457-4912 Fax: 457-4939
Telocator President: Tom Stroup	202-467-4770 Fax: 467-6987

United States Telephone Association (USTA) Vice President: Ward White	202-835-3100 Fax: 835-3187
Videotex Industry Association Administrative Assistant: Suzanne Nicolas	301-495-4955 Fax: 495-4959
Wireless Cable Association President: Robert Schmidt	202-452-7823 Fax: 223-1288

### **B. Some of the Major "Public Interest" Groups**

Action for Children's Television (ACT) President: Peggy Charren	617-876-6620
Accuracy In Media (AIM) Chairman: Reed Irvine	202-371-6710
ACLU Communications Committee Contact: Barry Steinhardt	212-944-9800
American Council of the Blind Executive Director/Nat'l Representative: Oral Miller	202-467-5081
Black Citizens for a Fair Media (BCFM) Chair: Emma Bowen	212-563-3168
Citizens Communication Center Associate Director: Angela Campbell	202-662-9535
Citizens for a Sound Economy General Counsel: Philip Mink Legal Counsel for Legal & Regulatory Reform Project: Michele Isele	202-488-8200
Consumer Federation of America (CFA) Legislative Director: Gene Kimmelman	202-387-6121
Consumer Interest Research Institute (CIRI) President: Mary Gardiner Jones	202-333-6035
Media Access Project (MAP) Executive Director: Andrew Schwartzman	202-232-4300
National Association of State Utilities Consumer Advocates (NASUCA) Public Counsel: Jack Schieve Executive Director: Deborah Berlyn	202-727-3908
National Black Media Coalition Chair: Pluria Marshall	202-387-8155
National Consumers League Deputy Director: Mary Ponder	202-639-8140
Public Interest Computer Association Program Manager: Richard Civile	202-775-1588
Telecommunication for the Deaf Executive Director: Al Sonnestrahl	301-589-3786
Telecommunication Research & Action Center (TRAC) Staff Associate: Jacki Graninger	202-462-2520
United Church of Christ Office of Communications Program Director: Anthony Pharr	202-331-4265

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US Public Interest Research Group (PIRG) 202-546-9707  
Consumer Lobbyist: Ed Mierzwinski

**C. Other Sources for Policymakers**

Annual Economic Review 615-322-2595  
American Economic Association  
Nashville, Tenn.  
Prof. Orley Ashenfetter

Federal Communications Bar Association (FCBA) 202-833-2684  
Washington, D.C.

NARUC's Publications 202-898-2203  
Washington, D.C.

Telecommunications Policy Research Conference 202-452-9033  
Washington, D.C.