

The Free State Foundation

A Free Market Think Tank.....Because Ideas Matter

**Free State Foundation
Sixteenth Annual Policy Conference
March 12, 2024**

**National Press Club
Washington, DC**

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Welcome

Welcome to the Free State Foundation's Sixteenth Annual Policy Conference. Each year our annual conference has become even more of a must-attend event, and its impact has only grown over the years. With such an outstanding group of speakers and sessions, I'm confident this year's conference will be as interesting, informative, and stimulating as ever!

Scott Harris, Senior Spectrum Advisor in the Office of the Assistant Secretary at NTIA will kick off our conference with a keynote address titled "National Spectrum Strategy's Implementation Plan: A Status Report," followed by Jeffrey Rosen, former Acting Attorney General and Deputy Attorney General of the United States. His keynote is titled, "The Pen and the Phone, and the Regulatory Pendulum Problem." Then FSF Senior Fellows Seth Cooper and Andrew Long will moderate the "Hot Topics in Communications Policy" panel with an all-star lineup composed of Robert Branson, President and CEO of MMTC; David Chorzempa, Vice President & Associate General Counsel at AT&T; Michelle Connolly, Professor of the Practice of Economics at Duke University and a member of FSF's Board of Academic Advisors; David Don, Senior Vice President of Public Policy at Comcast; and Harold Feld, Public Knowledge's Senior Vice President.

Next, I will moderate a session titled "Lightning Round: Predictions and Perspectives from the Analysts" with Paul Gallant, TD Cowen's Managing Director, Washington Research Group, Technology, Media, and Telecom, and Blair Levin, Nonresident Senior Fellow at Brookings Metro, and Policy Advisor at New Street Research. They are in the business of making predictions, and I'll try to hold their feet to the fire!

After our usual scrumptious buffet lunch, Michael O'Rielly, former Commissioner at the Federal Communications Commission and now an Adjunct Senior Fellow at FSF, will hold a keynote conversation with FCC Commissioners Brendan Carr and Nathan Simington, and former FCC Commissioner Mignon Clyburn. This session is slated to become the inaugural videocast of "TMT With Mike O'Rielly," which will be hosted by FSF.

Throughout the conference, there will be plenty of back-and-forth discussion on most, if not all, of the important telecom, media, Internet, competition, and administrative law issues of the day. And for the 16th straight time, a topic to be discussed is "Net Neutrality." (This is FSF's Sixteenth Annual Policy Conference, so what does that tell you about Net Neutrality?)

At FSF, we unabashedly proclaim our commitment to free market-oriented principles along with respect for property rights and the rule of law. But, from our founding, we have always made clear that we welcome and respect others with different perspectives. You'll see that diversity of thought reflected today. At a time when Cancel Culture threatens to undermine free speech values at the heart of our constitutional culture, civil discourse remains more important than ever.

As always, I remain grateful for your interest and participation in the Free State Foundation's programs and activities – and for your friendship!

With best regards,



Randy

Sixteenth Annual Policy Conference



Agenda

Welcome and Introduction

9:00 a.m. - 9:10 a.m.

Randolph May, President, The Free State Foundation

Keynote Address — “National Spectrum Strategy’s Implementation Plan: A Status Report”

9:10 a.m. - 9:50 a.m.

Scott Blake Harris

Senior Spectrum Advisor, NTIA

Keynote Address — “The Pen and the Phone, and the Regulatory Pendulum Problem”

9:50 - 10:30 a.m.

Jeffrey Rosen

Former Acting Attorney General and Deputy Attorney General of the United States

“Hot Topics in Communications Law and Policy”

10:30 a.m. - 11:40 a.m.

Moderators:

Seth Cooper, *Director of Policy Studies and Senior Fellow, FSF*
Andrew Long, *Senior Fellow, FSF*

Panelists:

Robert Branson
President and CEO, MMTC
David Chorzempa
Vice President & Associate General Counsel, AT&T

Michelle Connolly
Professor of the Practice of Economics, Duke University and Member of FSF's Board of Academic Advisors

David Don
Senior Vice President, Public Policy, Comcast Corporation

Harold Feld
Senior Vice President, Public Knowledge

“Lightning Round: Predictions and Perspectives from the Analysts”

11:40 a.m. - 12:10 p.m.

Moderator:

Randolph May
President, The Free State Foundation

Panelists:

Paul Gallant
Managing Director, Washington Research Group - Technology, Media, and Telecom, TD Cowen

Blair Levin
Nonresident Senior Fellow, Brookings Metro, and Policy Advisor, New Street Research

Luncheon

12:10 p.m. - 12:40 p.m.

Keynote Conversation – “TMT with Mike O’Rielly”

12:40 p.m. – 1:40 p.m.

Moderator:

Michael O’Rielly
Former Commissioner, Federal Communications Commission, and Adjunct Senior Fellow, Free State Foundation

Panelists:

Brendan Carr
Commissioner, Federal Communications Commission

Mignon Clyburn
Former Commissioner, Federal Communications Commission, and Principal of MLC Strategies, LLC

Nathan Simington
Commissioner, Federal Communications Commission

Speaker Biographies

Robert E. Branson

President and CEO, Multicultural Media, Telecom and Internet Council (MMTC)

Robert Branson is the President and CEO of the Multicultural Media, Telecom and Internet Council (MMTC). Prior to joining MMTC, Branson served as Of Counsel at Empire Consulting Group, a strategic business and public policy firm serving leading technology, wireless, broadcast, and other industry clients. In his corporate career, most recently, he was an Associate General Counsel with Verizon Communications. In that position, his responsibilities included the 5G rollout in the Washington, DC area, privacy regulations, and relationship building with leaders in the federal and state governments. He has been the General Counsel of the Association of Local Television Stations, Chief Legal Counsel of Post-Newsweek Stations, and an Assistant General Counsel at the National Association of Broadcasters. He also worked at the FCC as a Senior Legal Advisor to a Commissioner. Mr. Branson served as President of the Federal Communications Bar Association, where he was awarded twice with an FCBA Distinguished Service Award. He also has received a Lifetime Achievement Award from MMTC. Mr. Branson received his undergraduate degree from the University of Virginia and his law degree from Harvard University.

Brendan Carr

Commissioner, Federal Communications Commission

Brendan Carr is the senior Republican on the Federal Communications Commission, having served previously as the FCC's General Counsel. Nominated by both President Trump and President Biden, Commissioner Carr has been confirmed unanimously by the Senate three times. Commissioner Carr has led the FCC's work to modernize its infrastructure rules and accelerate the buildout of high-speed networks. His reforms cut billions of dollars in red tape, enabled the private sector to construct high-speed networks in communities across the country, and extended America's global leadership in 5G. Commissioner Carr brings nearly 20 years of private and public sector experience in communications and tech policy to his position. Before joining the FCC as a staffer back in 2012, he worked as an attorney at Wiley Rein LLP in the firm's appellate, litigation, and telecom practices. Previously, Commissioner Carr clerked on the U.S. Court of Appeals for the Fourth Circuit for Judge Dennis Shedd. He received his undergraduate degree from Georgetown University and earned his J.D. from Catholic University's Columbus School of Law.

David Chorzempa

Vice President and Associate General Counsel, AT&T

Dave Chorzempa serves as Vice President and Associate General Counsel at AT&T, heading up the company's legal group responsible for interacting with Congress, federal agencies (with an emphasis on the Federal Communications Commission), and governmental bodies across the globe. He has worked on varied matters in his more than 20 years working in telecom, with a recent emphasis on spectrum policy, privacy, and broadband regulation. He joined AT&T from the law firm of Jones Day. Mr. Chorzempa is a graduate of Purdue University and Notre Dame Law School.

Mignon L. Clyburn

Former Commissioner, Federal Communications Commission, and Principal of MLC Strategies, LLC

Mignon Clyburn served as a Commissioner on the Federal Communications Commission from 2009 to 2018 and Acting Chair from May to November of 2013. During her nearly nine years at the FCC, Commissioner Clyburn was committed to closing persistent digital and opportunities divides that continue to challenge rural, Native, and low wealth communities. Specifically, she pushed for the modernization of the agency's Lifeline Program, which assists low income consumers in defraying the cost of voice and broadband service, championed diversity in media ownership, initiated Inmate Calling Services reforms, emphasized diversity and inclusion in STEM opportunities, and fought to preserve a free and open internet. Previously, Ms. Clyburn served 11 years on the South Carolina Public Service Commission. Prior to that, she was the publisher and general manager of the Coastal Times, a family-founded, Charleston-based weekly newspaper focusing on issues affecting the African American community. Ms. Clyburn held a fellowship at the Open Society Foundations where she championed efforts to eliminate predatory rates for prison telephone services. She is currently the principal of MLC Strategies, LLC. She received a B.S. from the University of South Carolina.

Michelle P. Connolly

Professor of the Practice of Economics, Duke University and Member of FSF's Board of Academic Advisors

Michelle Connolly is Professor of the Practice in the Economics Department at Duke University. She was the Economics Director of Duke in New York: Financial Markets and Institutions Program for 2007-2009 and the Director of EcoTeach for several years. She currently serves as the Director of the Honors Program in Economics. Professor Connolly previously served as Chief Economist of the FCC in 2006-2007 and 2008-2009 and as an Economist for the International Research Function for the Federal Reserve Bank of New York from 1996 to 1997. Professor Connolly has testified before Congress, participated in a White House panel on Spectrum Issues, has published in numerous journals, and has been recognized on multiple occasions for her teaching. Professor Connolly's research currently focuses on broadband and spectrum policy, though her body of research includes work in international trade, telecommunications policy, media policy, education, growth, and development. She graduated from Yale University and went on to earn her M.A., M.Phil, and Ph.D., also from Yale University.

Seth L. Cooper

Senior Fellow and Director of Policy Studies, The Free State Foundation

Seth Cooper is a Senior Fellow and Director of Policy Studies at The Free State Foundation. His work on federal communications and technology policy at the Free State Foundation began in 2009. He previously served as Director of the Telecommunications and Information Technology Task Force at the American Legislative Exchange Council. Mr. Cooper served as judicial clerk at the Washington State Supreme Court. He has worked in law and policy staff positions at the Washington State Senate and at the Discovery Institute. Mr. Cooper is the co-author, with FSF President Randolph May, of *Modernizing Copyright Law for the Digital Age: Constitutional Foundations for Reform, A Reader on Net Neutrality and Restoring Internet*

Freedom, #CommActUpdate: A Communications Law Fit for the Digital Age, and The Constitutional Foundations of Intellectual Property, and he contributed to chapters in Communications Law and Policy in the Digital Age (2012). Mr. Cooper earned his B.A. from Pacific Lutheran University and his J.D. from Seattle University School of Law.

David Don

Senior Vice President, Public Policy, Comcast Corporation

David Don serves as Senior Vice President for Public Policy at the Comcast Corporation. He is responsible for developing and implementing the company's strategies before federal and state governments. Mr. Don has worked extensively on public policy and spectrum allocation for over 25 years, and he often represents Comcast in public fora examining the most relevant issues of the day. He joined Comcast in 2006 from the law firm of Willkie Farr & Gallagher. He served on the FCC's Broadband Deployment Advisory Committee and has chaired the Broadband Internet Technical Advisory Group. Mr. Don received a B.S. from the Georgetown University School of Foreign Service and a J.D. from Georgetown University Law Center.

Harold Feld

Senior Vice President, Public Knowledge

Harold Feld is Public Knowledge's Senior Vice President. For more than 20 years, Mr. Feld has practiced law at the intersection of technology, broadband, and media policy in both the private sector and in the public interest community. He is the author of "The Case for the Digital Platform Act," a guide to what government can do to preserve competition and empower individual users in the huge swath of our economy now referred to as "Big Tech." He also writes "Tales of the Sausage Factory," a progressive blog on media and telecom policy. Mr. Feld has an undergraduate degree from Princeton University and a law degree from Boston University. He clerked for the D.C. Court of Appeals.

Paul Gallant

Managing Director, Washington Research Group - Technology, Media, and Telecom, TD Cowen

Paul Gallant is TD Cowen's TMT Policy Analyst based in Washington, DC. For more than 15 years he has advised institutional investors as part of the #1 I.I.-ranked TD Cowen Washington Research Group. Before becoming an analyst, Mr. Gallant served as Legal Advisor to the Chairman of the FCC and as Senior Counsel at Qwest Communications. He received a bachelor's degree from Georgetown and a law degree from Catholic University's Columbus School of Law.

Scott Blake Harris

Senior Spectrum Advisor, Office of the Assistant Secretary, NTIA

Scott Blake Harris is the Senior Spectrum Advisor at NTIA and represents the agency in its work to expand the use of spectrum. Mr. Harris has practiced law in Washington, DC, for forty-six years and has extensive communications, technology, energy, litigation, and national security law experience. He previously served in government as the General Counsel of the Department of Energy, as the first Chief of the International Bureau at the FCC, and as Chief Counsel for the Export Administration at the Department of Commerce. While at DOE, he also

served as Co-Chair of the Broadband Subcommittee of the White House National Science and Technology Council. In the private sector, Mr. Harris co-founded the law firm of Harris, Wiltshire & Grannis LLP (now HWG) and served as its first Managing Partner and its first Chairman. Mr. Harris graduated from both Brown University and Harvard Law School.

Blair Levin

Nonresident Senior Fellow at Brookings Metro, and Policy Advisor, New Street Research

Blair Levin is a Nonresident Senior Fellow at Brookings Metro and Policy Advisor to New Street Research, an equity research firm focused on telecommunications and technology. Prior to joining New Street, he served as chief of staff to FCC Chairman Reed Hundt from December 1993 through October 1997. During that period he oversaw the implementation of the 1996 Telecommunications Reform Act, the first spectrum auctions, the development of digital television standards, and the commission's Internet initiative. Mr. Levin rejoined the Commission in 2009, after eight years as an analyst at Legg Mason and Stifel Nicolaus, and directed the writing of the United States National Broadband Plan (2009-2010). He serves as a nonresident senior fellow at Brookings Metro of The Brookings Institution, and as the Executive Director of Gig.U: The Next Generation Network Innovation Project. Prior to his position with the FCC, Mr. Levin was a partner in the North Carolina law firm of Parker, Poe, Adams and Bernstein. He is a graduate of Yale College and Yale Law School.

Andrew Long

Senior Fellow, The Free State Foundation

Andrew Long is a Senior Fellow at The Free State Foundation. Previously he served as Vice President & Assistant Chief Counsel, Regulatory at Time Warner Cable, handling policy and compliance matters affecting the company's consumer-premises equipment, video, and broadband offerings. Mr. Long is a former Associate Chief of the Federal Communications Commission's Media Bureau, where he oversaw agency efforts to advance the DTV Transition and ensure the availability of competitive video navigation devices (*e.g.*, set-top boxes) at retail. Most recently, he was a telecommunications law and technology consultant for Davis Wright Tremaine LLP. Mr. Long received a B.A. from the University of Delaware and a J.D. from the University of Pennsylvania Law School, where he served as Associate Editor of the Law Review.

Randolph J. May

President, The Free State Foundation

Randolph May is founder and President of The Free State Foundation. Before entering the think tank world, Mr. May practiced communications, administrative, and regulatory law as a partner at major national law firms. He previously served as Associate General Counsel at the FCC. Mr. May has held numerous leadership positions in bar associations, including serving as Chair of the American Bar Association's Section of Administrative Law and Regulatory Practice and a member of the ABA's House of Delegates. He is a Senior Fellow of the Administrative Conference of the United States and a Fellow at the National Academy of Public Administration. He has published more than 250 articles and essays on communications, administrative, and constitutional law topics. Mr. May is author of *A Call for a Radical New Communications Policy: Proposals for Free Market Reform*. He is co-author, with FSF Senior Fellow and Director of Policy Studies Seth Cooper, of *Modernizing Copyright*

Law for the Digital Age: Constitutional Foundations for Reform, A Reader on Net Neutrality and Restoring Internet Freedom, #CommActUpdate: A Communications Law Fit for the Digital Age, and The Constitutional Foundations of Intellectual Property. Mr. May is editor of two books, *Communications Law and Policy in the Digital Age: The Next Five Years* and *New Directions in Communications Policy*. In addition, he is the co-editor of two other books, *Net Neutrality or Net Neutering: Should Broadband Internet Services Be Regulated?* and *Communications Deregulation and FCC Reform*. Mr. May received his B.A. from Duke University and his J.D. from Duke Law School.

Michael O’Rielly

Former Commissioner at the Federal Communications Commission, and Adjunct Senior Fellow, The Free State Foundation

Michael O’Rielly, an Adjunct Senior Fellow at the Free State Foundation, is a member of APCO’s International Advisory Council, principal at MPORielly Consulting, LLC, a visiting fellow at the Hudson Institute’s Center for the Economics of the Internet, and a senior fellow at the Media Institute. Mr. O’Rielly served as a commissioner at the Federal Communications Commission from 2013 through 2020. Before being unanimously confirmed to the FCC, Mr. O’Rielly held a variety of leading staff positions during twenty years on Capitol Hill in both the U.S. Senate and House of Representatives, ending as policy advisor in the Office of the Senate Republican Whip, then led by U.S. Senator John Cornyn. He previously worked for the Republican Policy Committee in the U.S. Senate as a policy analyst for Banking, Technology, Transportation, Trade, and Commerce issues, as legislative director to Senator John Sununu. Before his tenure as a Senate staffer, he served as a professional staff member on and telecommunications policy analyst to the Committee on Energy and Commerce in the United States House of Representatives. He began his career as a legislative assistant to U.S. Congressman Tom Bliley. Mr. O’Rielly received his B.A. from the University of Rochester.

Jeffrey A. Rosen

Former Acting Attorney General and Deputy Attorney General of the United States

Jeffrey Rosen is a member of the Investigations and Regulatory Enforcement Practice at Cravath, Swaine & Moore, LLP. He previously served in the U.S. Department of Justice as Acting Attorney General and Deputy Attorney General. He also served as Deputy Secretary and General Counsel at the U.S. Department of Transportation, and General Counsel and Senior Policy Advisor at the White House Office of Management and Budget. At the DOJ, Mr. Rosen guided numerous DOJ initiatives, including an antitrust review of online technology platforms; reform of regulatory and administrative law; investigation and prosecution of IP theft and economic espionage; and responses to hacking, ransomware and other criminal and national security cyber threats. Mr. Rosen has extensive, nationwide state and federal trial and appellate experience, including argument before the Supreme Court. He is also a Public Member of the Administrative Conference of the United States. He previously served as Chair of the ABA’s Section of Administrative Law and Regulatory Practice and, in 2022 he received the Section’s Mary C. Lawton Award for Outstanding Government Service. He is also a nonresident fellow at the American Enterprise Institute. He has served as an adjunct professor at Georgetown University Law Center, where he taught Professional Responsibility (Legal Ethics). Mr. Rosen received a B.A. from Northwestern University and a J.D. from Harvard Law School.

Nathan Simington

Commissioner, Federal Communications Commission

Nathan Simington was nominated to serve as a Commissioner of the FCC by former President Donald J. Trump. He was confirmed by the United States Senate in 2020. Commissioner Simington brings both private and public-sector experience to the Commission. Previously, he served as Senior Advisor at the National Telecommunications and Information Administration (NTIA). In this role, he worked on many aspects of telecommunications policy, including spectrum allocation and planning, broadband access, and the U.S. government's role in the Internet. Prior to joining the Commission, he was senior counsel to Brightstar Corp., an international mobile device services company. In this capacity, he led and negotiated telecommunications equipment and services transactions with leading providers in over twenty countries. Prior to joining Brightstar, he worked as an attorney in private practice. Commissioner Simington is a graduate of the University of Michigan Law School, and he also holds degrees from the University of Rochester and Lawrence University.

About The Free State Foundation

The Free State Foundation is a nonpartisan research and educational institution located in Rockville, Maryland. Its purpose is to promote understanding of free market, limited government, and rule of law principles.

Thank you for joining us today, and we look forward to seeing you at future FSF events.

**The Free State Foundation
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For more information, please visit us online —
www.freestatefoundation.org

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