



CLDP
COMMERCIAL LAW DEVELOPMENT PROGRAM



Best Practices Licensing and Regulation Program For the Iraq Communications and Media Commission

Washington, D.C.
September 3 – 13, 2013

Organized by:

**United States Department of Commerce
Commercial Law Development Program (CLDP)**

In coordination with:

International Senior Lawyers Project (ISLP)

Federal Communications Commission (FCC)

U.S. Chamber of Commerce

United States Telecommunications Training Institute (USTTI)

Funded by:

U.S. Department of State, Bureau of Near Eastern Affairs - Iraq Assist



CONTACT INFORMATION

CLDP STAFF

Mr. Marc Tejtel, Deputy Chief Counsel

Tel: (+1) 202-482-9003

Email: mtejtel@doc.gov

Mr. Joseph L. Gattuso, Attorney-Advisor, International

Tel: (+1) 202-482-0977

Mobile: (+1) 202-510-7838

Mobile2: (+1) 202-256-8721

Email: hzahawi@doc.gov

Mr. Sameh Attia, International Program Specialist

Tel: (+1) 202-482-9036

Mobile: (+1) 202-754-0442

Email: sattia@doc.gov

CONTRACTOR

Commonwealth Trading Partners, Inc

Luke McCormack

300 North Lee Street, Third Floor, Alexandria, VA 22314

703-683-1931 office | www.ctp-inc.com

HOTEL

Homewood Suites by Hilton Washington

1475 Massachusetts Ave NW Washington, DC 20005

(202) 265-8000

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

PARTICIPANTS FROM THE IRAQ COMMUNICATIONS AND MEDIA COMMISSION

Faqzi Jabbar Badday
Jasim Kadum Jasim
Wafaa Shukur Ahmed
Abeer Saadi Ali
Inam Mahdi Mohammed
Mujahead Abo Alhail Bado
Mohammed Hussein Hadi
Jasim Mohammed Faraj
Zainab Ridha Hablumateen
Fasil Ezzulddin Qadhi
Mohammed Abdullah Abulameer Al-Gharbawi
Salem Diaan Nouri Mashkour
Duha Thamer Hadi

SPEAKERS AND FACILITATORS (In order of participation)

Telecommunications Regulations: A Foundation

Jennifer Manner, EchoStar Corporation

Federal Communications Commission

Mindel De La Torre, Chief, International Bureau

Margaret Lancaster, Legal Advisor, Office of the Bureau Chief, International Bureau

Suzon Cameron, Senior Attorney Advisor and Regional Specialist for the Middle East Strategic Analysis and Negotiations Division. International Bureau

Royce Sherlock, Attorney Advisor. Administrative Law Division, Office of General Counsel

Lori Holy Maarbjerg, Senior Attorney Advisor, Office of Legislative Affairs

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Bonita Tingley, Chief Human Capital Officer, Human Resources Management Office, Office of Managing Director

Tom Green, Deputy Chief Human Capital Officer, Human Resources Management Office
Office of Managing Director

Curtis Everett, Chief Training Officer, Human Resources Management Office
Office of Managing Director

Patrick J. Carney, Assistant General Counsel for Ethics,
Administrative Law Division, Office of General Counsel

Matthew Warner, Attorney Advisor
Competition Division, Wireline Competition Bureau

Henning Schulzrinne, FCC Chief Technologist

Amy Bender, Deputy Chief, Wireline Competition Bureau

Ian Forbes, Attorney Advisor, Telecommunications Access Policy Division
Wireline Competition Bureau

Steve Wildman, FCC Chief Economist

Thomas Nesinger, Senior Attorney Advisor, Audio Division, Media Bureau

Eric Bash, Associate Chief, Enforcement Bureau

Industry's Perspective of Mass Media Licensing and Regulation

Mark J. Prak, Brooks Pierce, Raleigh, NC

Private Tour of Newseum

Gene Policinski Newseum Institute and First Amendment Center

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Best practices: Drafting and Implementing Regulatory Rules and Regulations and Enforcement of License Conditions and Regulations

Warren Lavey, retired telecommunications attorney (lead)

Richard Metzger, Lawler, Metzger, Keeney & Logan, LLC

Best Practices: Spectrum Management and Monitoring

Scott Blake Harris, Wilkinson Barker Knauer, LLP

Industry Roundtable: Best Practices to Implement a Regulatory Regime That Encourages Telecom Investment and Economic Growth in Developing Countries

David Gross, WileyRein LLP

Warren Lavey

Steven Lutes, U.S. Chamber of Commerce

Gonzalo de Dios, Intelsat

Khaled Naguib, NxTvn

Workshop Exercise: Licensing Next Generation Wireless (see attached case study)

Keith Watson, International Senior Lawyers Project

Josh Bercu, Wilkinson Barker Knauer LLP

Richard L. Sippel

Chief Administrative Law Judge, Federal Communications Commission

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Agenda
Best Practices
Licensing and Regulation Program
For the Iraq Communications and Media Commission

Monday – September 2, 2013 Day 0	Arrival; Welcome; Introduction of Program
---	--

6:15 a.m. **Arrive at Washington Dulles International Airport**

9:00 a.m. **Check-in at hotel**
Brief Orientation and administrative matters
Breakfast on your own/Rest time
Lunch on your own

Tuesday – September 3, 2013 Day 1	Interagency Welcome; Regulatory Principles and Foundations
--	---

08:30 a.m. **Depart Hotel**

08:50 a.m. **Arrive at U.S. Department of Commerce**
Herbert C. Hoover Building
Room 1412

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

- 09:00 a.m. Interagency Welcome**
- Participants:*
- Stephen D. Gardner, Chief Counsel, CLDP
- Joseph L. Gattuso, Attorney Advisor, International, CLDP
- Eric Anthony Jones, United States Department of State
- Suzon Cameron, U.S. Federal Communications Commission (FCC)
- Tony Essaye, Co-President, International Senior Lawyers Project (ISLP)
- 10:00 a.m. Introduction of Goals and Outline the Program**
- Speaker:* Joseph L. Gattuso, CLDP
- 10:30 a.m. Telecommunications Regulation: A Foundation**
- Speaker:* Jennifer Manner, EchoStar Corporation
- 12:30 p.m. Lunch****
- 1:45 p.m. Telecommunications Regulation: A Foundation (continued)**
- 4:00 p.m. Questions and Discussion of Topics Presented**
- 4:30 p.m. End of Day 1; Transfer to Hotel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Wednesday – September 4, 2013 Day 2	Overview of the Federal Communications Commission: Structure, Policy, Regulations, and Practices
--	---

08:45 a.m. **Depart Hotel**

09:15 a.m. **Arrive at Federal Communications Commission
445 12th St. SW
Conference Room TW-A402/TW-A442**

09:30 a.m. **Welcome**

Speaker: Mindel De La Torre, Chief
International Bureau

Margaret Lancaster, Legal Advisor
Office of the Bureau Chief
International Bureau

Suzon Cameron
Senior Attorney Advisor and Regional Specialist for the Middle East
Strategic Analysis and Negotiations Division
International Bureau

10:00 a.m. **Overview of FCC Jurisdiction, Structure, Functions and Rulemaking
Procedures**

Speaker: Royce Sherlock, Attorney Advisor
Administrative Law Division, Office of General Counsel

11:00 a.m. **Relationship between the FCC and the U.S. Congress**

Speaker: Lori Holy Maarbjerg, Senior Attorney Advisor
Office of Legislative Affairs

11:30 a.m. **Staffing and Training of Regulatory Agency Personnel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Speakers:

Bonita Tingley, Chief Human Capital Officer
Human Resources Management Office
Office of Managing Director

Tom Green, Deputy Chief Human Capital Officer
Human Resources Management Office
Office of Managing Director

Curtis Everett, Chief Training Officer
Human Resources Management Office
Office of Managing Director

12:45 p.m.

Lunch**

2:00 p.m.

Regulatory Integrity and Ethics

Speaker: Patrick J. Carney, Assistant General Counsel for Ethics
Administrative Law Division, Office of General Counsel

3:00 p.m.

Effects of Technological Convergence on Regulatory Polices

Speakers:

Matthew Warner, Attorney Advisor
Competition Division, Wireline Competition Bureau

Henning Schulzrinne, FCC Chief Technologist (invited)

5:00 p.m.

End of Day 2; Transfer to Hotel

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Thursday – September 5, 2013 Day 3	Overview of the Federal Communications Commission: Structure, Policy, Regulations, and Practices
---	---

8:50 a.m. Depart Hotel

**9:20 a.m. Arrive at Federal Communications Commission
445 12th St. SW
Conference Room TW-A402/TW-A442**

09:30 a.m. Spectrum Licensing Issues and Procedures

Speaker: Office of Engineering and Technology —TBD

10:30 a.m. Broadband Deployment— Public Private Initiatives

Speakers:

Amy Bender, Deputy Chief
Wireline Competition Bureau

Ian Forbes, Attorney Advisor
Telecommunications Access Policy Division
Wireline Competition Bureau

12:00 p.m. Lunch**

**1:15 p.m. Competition and Economic Analysis in the Broadcast and
Telecommunications Market**

Speaker:

Steve Wildman, FCC Chief Economist

2:15 p.m. Broadcast Regulation Overview

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Speaker: Thomas Nesinger, Senior Attorney Advisor (invited)
Audio Division, Media Bureau

3:30 p.m. Enforcement Issues & Procedures

Speaker: Eric Bash, Associate Chief
Enforcement Bureau

4:30 p.m. Wrap Up Discussion and Next Steps

Speakers:

Mindel De La Torre, Chief
International Bureau

Suzon Cameron
Senior Attorney Advisor and Regional Specialist for the Middle East
Strategic Analysis and Negotiations Division
International Bureau

5:00 p.m. End of Day 3; Transfer to Hotel

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Friday – September 6, 2013 Day 4	The Industry’s Perspective of Mass Media Regulation; Newseum Tour
---	--

- 08:40 a.m.** **Depart Hotel**
- 09:05 a.m.** **Arrive at Herbert C. Hoover Building
Room 1412**
- 09:15 a.m.** **Industry’s Perspective of Mass Media Licensing and Regulation**
Speaker: Mark J. Prak, Brooks Pierce, Raleigh, NC
- 12:00 noon** **Lunch****
- 1:30 p.m.** **Transfer to Newseum
555 Pennsylvania Avenue, NW**
- 2:00 p.m.** **Private Tour of Newseum**
Conducted by: Gene Policinski, Chief Operating Officer of Newseum Institute,
and Senior Vice President of the First Amendment Center
- 4:00 p.m.** **End of Day 4; Transfer to Hotel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

**Monday – September 9,
2013
Day 5**

**Best Practices from the Industry’s Perspective:
Drafting and Implementing Regulations;
Enforcement and Penalties**

08:40 a.m. Depart Hotel

**09:00 a.m. Arrive at Herbert C. Hoover Building
Room HCHB A004**

**09:15 a.m. Review of previous week’s sessions and schedule for the upcoming week’s
programming.**

Speaker: Joseph L. Gattuso, CLDP

**09:30 a.m. Best practices: Drafting and Implementing Regulatory Rules and
Regulations**

Speakers:

Warren Lavey, retired telecommunications attorney (lead)
Richard Metzger, Lawler, Metzger, Keeney & Logan, LLC

12:00 noon Lunch

1:15 p.m. Best practices: Enforcement of License Conditions and Regulations

Speakers:

Richard Metzger, (lead)
Warren Lavey

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

2:45 p.m. Best Practices: Spectrum Management and Monitoring

Speakers:

Scott Blake Harris, Wilkinson Barker Knauer, LLP
(lead)
Warren Lavey

5:00 p.m. End of Day 5; Transfer to Hotel

Tuesday – September 10, 2013 Day6	Best Practices To Implement a Regulatory Regime to Encourage Telecommunications Investment and Economic Growth; First Session of Workshop Exercise
--	---

08:30 a.m. Depart Hotel

**08:50 a.m. Arrive at Herbert C. Hoover Building
Room A004**

09:00 a.m. Introduction of CMC Commissioners and Roundtable Participants

Speaker: Joseph L. Gattuso, CLDP

**09:15 a.m. Industry Roundtable: Best Practices to Implement a Regulatory Regime
That Encourages Telecom Investment and Economic Growth in
Developing Countries**

Speakers: David Gross, WileyRein LLP
Warren Lavey
Steven Lutes, U.S. Chamber of Commerce
Gonzalo de Dios, Intelsat
Khaled Naguib, NxTvn

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

- 11:45 a.m.** **Comments from CMC Commissioner and Others in Attendance**
- 12:30 p.m.** **Lunch****
- 1:45 p.m.** **Workshop Exercise: Licensing Next Generation Wireless (see attached case study)**
- Introduction of Format and Case Study**
- Speakers:* Keith Watson, ISLP
 Josh Bercu, Wilkinson Barker Knauer LLP
- 2:15 p.m.** **Separate Break-out Meetings of Each of Three (3) Stakeholder Groups**
- Stakeholder Mentors:*
- Josh Bercu, Wilkinson Barker Knauer LLP
 Joseph L. Gattuso, CLDP
 [Other TBD]
- 4:00 p.m.** **Plenary Meeting of Stakeholder Groups to Exchange Position Summaries**
- Facilitator:* Keith Watson, ISLP
- 5:00 p.m.** **End of Day 6; Transfer to Hotel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Wednesday – September 11, 2013 Day 7	Second Session of Workshop Exercise; “Hearing” and Discussion by CMC Commissioners; Critique and Lesson Learned
---	--

- 8:30 a.m. Depart Hotel**
- 8:50 a.m. Arrive at Herbert C. Hoover Building
Room A004**
- 9:00 a.m. Review of Mock “Hearing Format” and Introduction of Commissioner
Panel**
- 9:15 a.m. Presentation and Response to Questions by the Tier 1 Team**
- 10:00 a.m. Presentation and Response to Questions by the Tier 2 Team**
- 10:45 a.m. Break**
- 11:00 a.m. Presentation and Response to Questions by the Consumer Team**
- 11:45 a.m. Reply to other teams by the Tier I Team**
- 12:00 noon Reply to other teams by the Tier 2 Team**
- 12:15 noon Reply to other teams by the Consumer Team**
- 12:30 p.m. Lunch****
- 1:45 p.m. Discussion by “hearing Commissioners” of the Stakeholder Presentations**
- 2:30 p.m. Questions and Critiques: Lessons Learned from the Workshop Exercise**
Facilitator: Keith Watson, ISLP
- 4:00 p.m. End of Day 7; Transfer to Hotel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

Thursday – September 12, 2013 Day 8	Additional Presentations; Meetings at the United States Department of State
--	--

- 09:00** **Depart Hotel**
- 09:20** *Meeting with Robert Tanner, Office of the United States Trade Representative [Tentative]*
- 12:00** **Lunch****
- 1: 30 p.m.** **Transfer to United States Department of State
Harry S Truman Building
Room 4477**
- 2:00 p.m.** **Meeting with United States Department of State Offices:**
- Meeting with John (Jack) Spilsbury, Deputy Coordinator for
International Communications and IT Policy, Office of Communications
and Information Policy, Bureau of Economic and Business Affairs (EB)**
- Presentations and Discussion with other U.S. Department of State officials**
- 4:00** **End of Day 8; Transfer to Hotel**

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.

**Friday – September 13,
2013
Day 9**

**Roundtable Discussion of Lessons Learned;
Program Evaluation**

09:00 a.m. Depart Hotel

**09:20 a.m. Arrive at Arrive at Herbert C. Hoover Building
Room A004**

**9:30 a.m. Roundtable Discussion and Q&A by CLDP and Iraq delegation re
Capacities Enhanced by the Program**

10:30 a.m. Wrap-up: Program Evaluation by the Iraq delegation

11:30 a.m. Transfer to Hotel, Check-out and Lunch**

12:30 p.m. End of Day 9; Depart for Airport from the Hotel

* Participants please bring your passport with you daily, as photo identification is required for entry into all U.S. government buildings.

** Lunch is on your own at a nearby location.

*** There will be short breaks in the mornings and afternoons.