

HAROLD J. FELD
8917 Second Ave
Silver Spring, MD 20910
(301) 602-7341
haroldjfeld@gmail.com

EDUCATION:

BOSTON UNIVERSITY SCHOOL OF LAW, Boston, Massachusetts

J.D. May 1993, *magna cum laude*

Legislative Drafting Clinic: Spring 1992, Projects Editor; Legislative Editor- Fall 1992 -- Spring 1993

Journal: Public Interest Law Journal, Note Editor

PRINCETON UNIVERSITY, Princeton, New Jersey

B.A. in History June 1989, *magna cum laude*

CLERKSHIP

THE HON. JOHN M. FERREN, D.C. COURT OF APPEALS, Washington D.C.

September 1996 -- August 1997

LEGAL EXPERIENCE:

PUBLIC KNOWLEDGE, Washington D.C.

Senior Vice President, May 2012-present

Develop and execute long term advocacy strategy and public policy initiatives in service of Public Knowledge's mission.

Legal Director, March 2009 – May 2012

Develop legal strategy for non-profit organization dedicated to maintaining open access to information, open communications infrastructure, and striking a proper balance in intellectual property between rights holders and the public. Responsibilities include supervising and mentoring Public Knowledge's staff attorneys, as well as reviewing legal briefs, testimony, and agency comments.

MEDIA ACCESS PROJECT, Washington D.C.

Senior Vice President, 2004-February 2009

Associate Director, July 1999 – 2004

Develop strategy, write briefs and draft regulatory pleadings in furtherance of mission of non-profit law firm: to protect the public's right to speak and hear information from a diversity of sources in electronic media. Monitor intersection of intellectual property law, First Amendment concerns, and competition concerns. Responsibilities also include management of law school internship program, frequent interaction with the press, and public speaking engagements. Some administrative and fund raising responsibilities.

COVINGTON & BURLING, Washington D.C.

Associate, September 1997 -- July 1999

Extensive experience in telecommunications, with a focus on Internet law and policy. Intellectual property experience, focusing on domain name/trademark issues and liability issues. Litigation experience, and experience in energy practice, including natural gas and electric restructuring.

U.S. DEP'T OF ENERGY, Washington D.C.

Staff Attorney on various projects, September 1993 -- August 1996

PUBLICATIONS:

THE CASE FOR THE DIGITAL PLATFORM ACT: MARKET STRUCTURE AND REGULATION OF DIGITAL PLATFORMS, Roosevelt Institute (New York, 2019)

Book Chapters:

“How Can the Government Compel the Media to Serve the Public, and How Can the Public Make It Happen?” in *News Incorporated: Corporate Media Ownership and Its Threat to Democracy*, PROMETHEUS BOOKS (with Cheryl Leanza).

“The Legal Case for Diversity in Broadcast Ownership,” in *The Future of Media*, FREE PRESS (with Andrew Jay Schwartzman and Cheryl Leanza)

“Structured to Fail: ICANN and the ‘Privatization’ Experiment,” in *Who Rules The Net: Essays On Internet Governance and Jurisdiction* CATO Institute (2003)

Articles:

“The Limits of Antitrust In Privacy Protection,” 8 International Data Privacy Law 270 (2018) (with Eugene Kimmelman and Augustin Rossi)

“Spectrum ‘Property Rights’ and the Doctrine of Adverse Possession,” (in “The Unfinished Radio Revolution: 8 Perspectives on Wireless Interference,” (J. Pierre DeVries and Kaleb A. Sieh, ed.) 9 J. of Telecom. & High Tech. 523 (2011)

“From Third Class Citizen to First Among Equals: Rethinking the Place of Unlicensed Spectrum in the FCC Hierarchy,” 15 *CommLaw Conspectus* 53 (2007).

“Section 202(h) of the Telecommunications Act of 1996: Beware of Unintended Consequences,” 58 Fed. Comm. L.J. 581 (2006) (with Andrew Jay Schwartzman and Parul Desai)

“Whose Line Is It Anyway? Cable Open Access and the First Amendment,” 8 *CommLaw Conspectus* 23 (Winter, 2000)

“Promoting Functional Foods and Nutraceuticals on the Internet,” 54 *Food and Drug L.J.* 423 (1999) (with Sarah Taylor)

“Saving the Citizen Suit: The Effects of *Lujan v. Defenders of Wildlife* and the Role of Citizen Suits in Environmental Enforcement,” 19 *Col. J. Env. L.* 141 (1994)

“Necessary Knowledge for a Democratic Public Sphere: Creation of a Shared Culture of Skills and Vocabulary Between Advocates and Academics,” *Social Sciences Research Council* (2005).

“Whoever Owns the Medium Owns the Message: Why Federal Media Ownership rules Affect Us All,” 20 *ABA Focus On Law Studies*, 4 (Fall 2005).

“More than ‘a Toaster With Pictures:’ Defending Media Ownership Limits,” *ABA Communication Lawyer* (with Cheryl Leanza) (Fall 2003)

“FCC Practices Regarding Gathering Data, Processing Data, and Presenting Data: An Advocate’s Perspective,” Presented at the “Media Diversity and Localism: Meaning, Metrics, and the Public Interest,” hosted by the Donald McGannon Communication Research Center at Fordham University (2003)

“The Need for FCC Merger Review,” *ABA Communication Lawyer* 20 (Fall 2000)

White Papers

“Principles for Privacy Legislation: Putting People Back in Control of Their Information (2017)

“Protecting Privacy, Promoting Competition: A Framework for Updating the Federal Communications Commission Privacy Rules for the Digital World,” (with Charles Duan, John Gasparini, Tennyson Holloway and Meredith Rose) Public Knowledge (2016)

“Five Fundamentals for the Phone Transition,” (with Jodie Griffin), Public Knowledge (2013)

“Putting the Public Back in ‘Public Interest,’ Painless Reforms to Improve the FCC,” Media Access Project (with Dr. Gregory Rose) (2007)

“The ‘Switching Equation’ and Its Impact on the Programming and MVPD Market,” Media Access Project (2006)

“Connecting the Public: The Truth About Municipal Broadband,” Media Access Project (with Gregory Rose, Mark Cooper, and Ben Scott) (2006)

Seminar Presentations:

“Myths, Metaphors, and Manipulation: How Telecommunications Consolidation is Rationalized” (with Dr. Gregory Rose), 34th Telecommunications Policy Research Conference (2006)

“The Intellectual Property System and Its Application to Computer Software: A Consumer Advocacy Perspective,” Microsoft/Consumer Federation of America Consumer Dialog (2003)

“The Need for FCC Merger Review Under the Public Interest Standard in a Networked World,” 29th Telecommunications Policy Research Conference (2001)

Numerous opinion pieces published in publications including in the *NY Times*, *LA Times* and *The Hill*.

Blogs

Tales of the Sausage Factory

<http://www.wetmachine.com>

OTHER WORK EXPERIENCE

Occasional consulting work on public policy.

TEACHING EXPERIENCE

BENJAMIN N. CARDOZO SCHOOL OF LAW, New York City, NY

Adjunct Faculty, January 2008 – May 2008

Taught general communications law class (Communications Law 303) for JD and LLM candidates.

GEORGETOWN UNIVERSITY, Washington, DC

Adjunct Faculty, August 2008 – January 2009

Broadcasting: Rights and Responsibilities of Broadcasters (CCT691) (with Cheryl Leanza)

AWARDS:

1999 BURTON LEGAL ACHIEVEMENT AWARD, given for excellence in legal writing by non-academics. Awarded for "Promoting Functional Foods and Nutraceuticals on the Internet," 54 Food & Drug L.J. 423 (with Sarah Taylor) (1999).

OTHER LEGAL ACTIVITIES:

WORLD ECONOMIC FORUM COUNCIL OF EXPERTS, Information and Entertainment Council
Member 2018-

FEMA NATIONAL ADVISORY COMMITTEE (NAC), INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) SUBCOMMITTEE

Member 2017-

Federal Advisory Committee for Federal Emergency Management Agency (FEMA).

COMMERCE SPECTRUM MANAGEMENT ADVISORY COMMITTEE (CSMAC)

Member, April 2014-July 2016

Federal Advisory Committee to the National Telecommunications Information Administration on the management of federal spectrum.

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS,

Names Council Representative, March 2002-February 2003

North American Representative of Non-commercial Domain Name Holders to the policy development body of the Internet Corporation for Assigned Names and Numbers (ICANN).

FEDERAL COMMUNICATIONS BAR ASSOCIATION, Washington, DC

Co-Chair, On-line Committee, July 1998 -- July 1999

Managed transition from ad hoc committee to full committee, managed speakers program, helped develop CLE program.

ADVISORY BOARDS:

Public Interest Registry (managing the .org top-level domain), 2004-2006

501(c)(3) BOARDS:

Media and Democracy Coalition, Chair, 2010-11

Sports Fan Coalition, 2014 -- 2016

BAR MEMBERSHIP:

District of Columbia, Supreme Court of the United States, United States Court of Appeals for the District of Columbia Circuit, United States Court of Appeals for the Third Circuit, Fourth Circuit, Ninth Circuit, and Tenth Circuit.

PROFESSIONAL ORGANIZATIONS:

D.C. Bar Association, Federal Communications Bar Association

ADDITIONAL EDUCATION:

SHAPPELS COLLEGE OF JEWISH STUDIES, Jerusalem, Israel, 1989-90

Studied Jewish history, philosophy and religion using primary sources in Hebrew and Aramaic.

SKILLS AND INTERESTS:

Storytelling, Bridge, Aikido, Sailing, Science Fiction, Living History/Historical Research