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Clay Whitehead dies

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 31-07-2008

#1

chris

Head Honcho



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Location: Chesterfield
Posts: 2646
Thanks: 11
Thanked 60 Times in 48 Posts
Blog Entries: 6

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Clay Whitehead dies

[permalink](#)

Clay 'Tom' Whitehead, a true pioneer of satellite and pay-TV broadcasting died a few days ago (July 23) in Washington DC aged 69. He had been suffering from prostate cancer. Dr Whitehead was one of the founders of Luxembourg satellite operator Astra.

Dr Whitehead had an illustrious engineering career and for four years from 1970 was the White House's director of Telecommunications Policy. He was a far-thinking pioneer, and said his chief concern was to try and get the (then) Nixon administration to become "more anticipatory" in addressing rapid technological change.

His far-thinking very much extended to the role satellites could, and would, play in the future. Dr Whitehead is credited with demolishing the Comsat and Intelsat monopoly over transmission, and his encouragement allowed rival

systems to come to the fore and thus help the emerging cable industry bypass AT&T's costly leased lines.

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Unfortunately he spent some 10 years of his life in a legal squabble with SES Astra (and the Luxembourg government) claiming a total of \$1.8bn and receiving some €30m as dividend payments in a Court-ordered settlement in June 2002.

Source:RapidTVNews

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Forum Jump

Daily Satellite and Broadcast industry News

Go

7/28/08 Comm. Daily (Pg. Unavail. Online)
2008 WLNR 14204840

COMMUNICATIONS DAILY
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July 28, 2003

Section: Satellite

Clay Whitehead, 69, a former chief executive of Hughes Communications...

Clay Whitehead, 69, a former chief executive of Hughes Communications and founder of SES, died July 23 of prostate cancer. Whitehead was a "satellite pioneer," an industry insider said. Whitehead was special assistant to President Nixon, with responsibility for several agencies including the FCC and NASA. He was the first director of the federal Office of Telecommunications Policy, responsible for administration policy on communications issues and the government's own telecom activities. Whitehead is survived by his wife and two children.

---- INDEX REFERENCES ----

COMPANY: NASA LANGLEY RESEARCH CENTER; HYPERFORMIX INC

Language: EN

OTHER INDEXING: (FCC; FEDERAL OFFICE OF TELECOMMUNICATIONS POLICY; HUGHES COMMUNICATIONS; NASA; SES) (Clay Whitehead; Nixon; Whitehead)

Word Count: 109
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7/28/08 Satellite Wk. (Pg. Unavail. Online)
2008 WLNR 14131350

SATELLITE WEEK
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July 28, 2008

Section: Obituaries

Clay Whitehead, 69, a former chief executive of Hughes Communications...

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Word Count: 109
7/28/08 SATWK (No Page)
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Clay Whitehead dies

| Print |

Chris Forrester

29 July 2008



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Close Window

Susan Burgess

From: Susan Burgess
Sent: Tuesday, July 29, 2008 6:57 PM
To: Margaret Whitehead
Subject: European news has picked up the obituary

Rapid TV News, a European telecom newsletter, has published a very short obituary based on The Washington Post piece. Also, the current President and CEO of SES Americom, Edward D. Horowitz, posted a nice comment about Tom at the bottom of the web page (so this online journal seems to be taken seriously by industry professionals).

<http://rapidtvnews.com/index.php/200807291787/clay-whitehead-dies.html>

Clay Whitehead dies

Chris Forrester, on 29-07-2008

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Posted by Edward D. Horowitz, on 30-07-2008:
Tom was a true driving force in the development of the non-common carrier "private" satellite business. It was a privilege to know and work with him.

(Here is a link re Edward D. Horowitz:)

http://findarticles.com/p/articles/mi_m0EIN/is_2005_April_7/ai_n13562528

7/29/08 TR Daily (Pg. Unavail. Online)
2008 WLNR 14131123

TR Daily
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July 29, 2008

FIRST OTP HEAD DIES

Television satellite pioneer Clay T. Whitehead, 69, died July 23 at Georgetown University Hospital in Washington; he had prostate cancer, according to the Washington Post. From 1971 to 1974, Mr. Whitehead was the first director of the U.S. Office of Telecommunications Policy, a White House agency that was a forerunner to the National Telecommunications & Information Administration. After leaving the government, he established the Hughes Communications, Inc., Galaxy satellite system and the European Astra direct broadcast satellite operation. At the time of his death, he was working on a history of federal telecom policy, according to the Hudson Institute, where Mr. Whitehead was a trustee.

TR Daily, July 29, 2008

---- INDEX REFERENCES ----

COMPANY: TRINITY RIVERS PUBLISHING INC; WHITE HOUSE; FABEGE AB; PANAMSAT CORP; INTELSAT CORP; HUGHES COMMUNICATIONS INC; FOX ENTERTAINMENT GROUP INC; DIRECTV GROUP INC

INDUSTRY: (Broadcast Satellites (1BR52); Entertainment (1EN08); Broadcast Technology (1BR27); Entertainment Technology (1EN50); I.T. (1IT96); Satellite Equipment (1SA89); Satellite (1SA91))

Language: EN

OTHER INDEXING: (EUROPEAN ASTRA; GEORGETOWN UNIVERSITY HOSPITAL; HUDSON INSTITUTE; HUGHES COMMUNICATIONS INC; NATIONAL TELECOMMUNICATIONS INFORMATION ADMINISTRATION; TR; US OFFICE OF TELECOMMUNICATIONS POLICY; WHITE HOUSE) (Clay T. Whitehead; OTP HEAD; Whitehead)

Word Count: 145
7/29/08 TRDAILY (No Page)
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The MASON Gazette

Former Distinguished Visiting Professor Whitehead Dies

August 1, 2008

Clay T. "Tom" Whitehead, 69, former Distinguished Visiting Professor of Communications Policy at Mason and the nation's first telecommunications policy advisor, died on July 23 from prostate cancer.

Whitehead taught a Communications and the Law seminar at Mason's law school in 2005. For the seminar, he arranged an outstanding cadre of guest speakers that included Supreme Court Justice Antonin Scalia; Richard Wiley, former FCC chairman; Donald Baker, former assistant attorney general for antitrust at the Department of Justice; and Brian Lamb, founder and president of C-SPAN.

As special assistant to President Richard Nixon, Whitehead oversaw policy development for the National Aeronautics and Space Administration, the Atomic Energy Commission, the National Science Foundation and the Federal Communications Commission.



Clay T. Whitehead listens as Supreme Court Justice Antonin Scalia speaks to students in the Communications and Law Seminar during a 2005 visit.

Photo by Steven Tuttle

In 1970, Whitehead was confirmed by the U.S. Senate as the first director of the U.S. Office of Telecommunications Policy at the White House. In this position, he championed competition and deregulation in telecommunications, cable, broadcasting and satellite at a time when the monopoly model was preeminent.

Whitehead is credited with encouraging the FCC to adopt an "open skies" policy, which allowed multiple nongovernmental entities to construct and operate communications satellite facilities. This policy revolutionized the television industry by enabling cable operators to provide nationwide programming on a competitive basis.

Whitehead, a veteran and father of two, received BS, MS and PhD degrees from M.I.T. He is survived by his wife and children.

[Return to Main Gazette Page](#)

8/3/08 Chi. Trib. 6
2008 WLNR 14459625

CHICAGO TRIBUNE
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August 3, 2008

Section: Metro

DEATHS LAST WEEK

Bruce Adler, 63, actor who received Tony nominations for his Broadway performances and lent his voice to some Disney films; July 25, in Davie, Fla., of cancer.

Anne Armstrong, 80, adviser to Presidents Richard Nixon and Gerald Ford and the first woman to serve as U.S. ambassador to Britain; July 30, in Houston, of melanoma complications.

Dr. Thomas Barber, 84, longtime professor and later an adjunct faculty member at the University of Illinois at Chicago's dental school; July 24, in Arroyo Grande, Calif., following heart surgery.

Joe Beck, 62, jazz guitarist who collaborated with Frank Sinatra, Miles Davis and James Brown; July 22, in Danbury, Conn., of cancer.

Michael Berniker, 73, prolific record producer whose diverse projects won nine Grammy Awards over four decades; July 25, in Great Barrington, Mass., of kidney disease complications.

Bud Browne, 96, former lifeguard who became known as "the father of surf films"; July 25, in San Luis Obispo, Calif.

Dr. Daniel Bukantz, 90, national champion and Olympic fencer and a longtime Olympic fencing referee while pursuing a career in dentistry; July 26, in New York, of lung cancer.

Hiram Bullock, 52, soulful and adaptable jazz and rock guitarist who was a member of the original band for "Late Night with David Letterman"; July 25, in New York, after battling cancer.

Harriet Burns, 79, first female artist at Walt Disney Imagineering and a designer of several Disneyland rides; July 25, in Los Angeles, of heart surgery complications.

Youssef Chahine, 82, one of Egypt's most lauded movie directors over nearly five decades; July 27, in Cairo.

Rev. C.A.W. Clark Sr., 93, preacher who spent more than half a century at the pulpit of Good Street Baptist Church, one of Dallas' first black megachurches; July 27, in Oak Cliff, Texas.

Roxanne Gilbert Davis, 72, former model who became a representative for Fashion Fair cosmetics; July 19, in Chicago, of pulmonary fibrosis complicated by pneumonia.

Roland Day, 89, former Wisconsin Supreme Court chief justice; July 26, in Madison, Wis., while recuperating from a broken pelvis.

Norman Dello Joio, 95, composer who achieved wide popularity in the mid-20th Century with essentially tonal, lyrical works; July 24, in East Hampton, N.Y.

Russ Gibson, 69, catcher on the Boston Red Sox team that went to the 1967 World Series; July 27, in Swansea, Mass., after a long illness.

H. Tracy Hall, 88, researcher who was a principal figure in the creation of artificial diamonds; July 25, in Provo, Utah.

Christopher Markle, 53, theater professor at Northern Illinois University and an accomplished professional stage director; July 28, in DeKalb, Ill., of natural causes.

Jack Nash, 79, co-founder of Odyssey Partners who helped create the modern mutual fund and hedge fund businesses; July 30, in New York.

Robert Nesheim, 86, Quaker Oats nutritionist for 30 years who helped develop Cap'n Crunch and Life cereals; July 19, in Monterey, Calif.

Dr. Julius Richmond, 91, pediatrician whose work on cognitive development in poor children led to his being the first national director of Project Head Start, and who later as surgeon general battled the tobacco industry; July 27, in Chestnut Hill, Mass., of cancer.

Mitchell Rieger, 85, former assistant U.S. attorney and longtime partner with Schiff Hardin; July 27, in Denver, after suffering a stroke.

Margaret Ray Ringenberg, 87, World War II pilot from Indiana who continued to fly into her 80s; July 28, in Oshkosh, Wis., of natural causes.

J. Murdoch Ritchie, 83, Yale biophysicist who used a potent neurotoxin derived from shellfish to help trace the way nerve cells conduct electrical impulses and famously asked the CIA to share its supply of the poison with scientists; July 9, in Hamden, Conn.

George Russell, 89, Chicago-born veteran record promoter, guitarist and composer;

July 19, in Laguna Beach, Calif., of a heart attack.

Eileen Slocum, 92, former national committeewoman for the Republican Party; July 27, in Newport, R.I.

Dr. John Tobin Jr., 91, first chairman of medicine at Loyola University Medical Center; July 29, in Oak Brook, of pneumonia complications.

Clay "Tom" Whitehead, 69, Nixon administration official who laid the groundwork for Open Skies, the policy that led to the creation of the domestic satellite system that brought cable television and lower-cost long-distance telephone service into millions of American homes; July 23, in Washington, of cancer.

Charles Williams, 60, longtime Park Ridge resident and construction executive; July 23, in Chicago, of pulmonary fibrosis.

Photo: Bruce Adler

Photo: Eileen Slocum

Photo: Youssef Chahine

Photo: Anne Armstrong

COLUMN: DEATHS LAST WEEK

---- INDEX REFERENCES ----

COMPANY: UNIVERSITY OF ILLINOIS; UNIVERSITY OF ILLINOIS AT CHICAGO; NORTHERN ILLINOIS UNIVERSITY; PROJECT HEAD START; WALT DISNEY CO (THE)

NEWS SUBJECT: (Health & Family (1HE30); Health & Wellness (1HE60))

INDUSTRY: (Healthcare Practice Specialties (1HE49); Internal Medicine (1IN54); Cardiology (1CA75); Respiratory & Pulmonary (1RE29); Surgery (1SU58); Cardiovascular Surgery (1CA81); Healthcare (1HE06); Surgical Specialties (1SU42))

REGION: (Wisconsin (1WI54); North America (1NO39); New York (1NE72); USA (1US73); Americas (1AM92); California (1CA98); Texas (1TE14); Utah (1UT90); Illinois (1IL01))

Language: EN

OTHER INDEXING: (BOSTON RED SOX; BROADWAY; CIA; CLAY; COLUMN; DISNEYLAND; FASHION FAIR; NORTHERN ILLINOIS UNIVERSITY; ODYSSEY PARTNERS; PROJECT HEAD START; QUAKER OATS; SCHIFF HARDIN; UNIVERSITY OF ILLINOIS; WALT DISNEY IMAGINEERING; WISCONSIN SUPREME COURT) (Anne Armstrong; Baptist Church; Bruce Adler; Bruce AdlerPhoto; Bud Browne; C.A.W. Clark Sr.; Charles Williams; Christopher Markle; Daniel Bukantz; David Letterman; Eileen Slocum; Eileen SlocumPhoto; George Russell; Gerald Ford; H.; Harriet Burns; Hiram Bullock; J. Murdoch Ritchie; Jack Nash; James Brown; Joe Beck; John Tobin Jr.; Margaret Ray Ringenberg; Michael Berniker; Miles Davis; Mitchell Rieger; Nixon; Norman Dello Joio; Park Ridge; Richard Nixon; Robert Nesheim; Roland Day; Roxanne Gilbert Davis; Russ Gibson; Thomas Barber; Tracy Hall;

Yale; Youssef Chahine; Youssef ChahinePhoto)

KEYWORDS: OBITUARY; NAMELIST (Obituaries)

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8/3/08 CHICAGOTR 6

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KEN ROBINSON'S WRITE-UP ON TOM WHITEHEAD

Things Worth Remembering

When a serious history of U.S. telecommunications policy in the last quarter of the 20th century is written, Clay T. ("Tom") Whitehead will probably get creditable mention. He died this past week following a recurrence of cancer. And, we thought that needed to be noted.

Tom Whitehead was raised in Cherokee County, Kansas -- he once said his home town was "like that town in Last Picture Show." He got a bachelor's and Master's degree in electrical engineering from MIT -- no mean accomplishment in the 1960s -- and then a PhD. in systems analysis (for a time, his dissertation adviser was MIT Professor, later Council of Economic Advisers Member and Yale Dean, Paul W. MacAvoy). Your Review's Editorial Committee, incidentally, actually owns a copy of Dr. Whitehead's bound MIT dissertation (albeit gnawed -- though only a little -- by a young Golden retriever, possible eager for some learning). All about Festinger's theory of post-cognitive dissonance. Arcane things like that.

Whitehead ended up at the Nixon White House, working with Peter Flanigan and Jonathan C. Rose. Whitehead once half-jokingly said his greatest accomplishment there was getting the District of Columbia's law banning the flying of kites repealed (it had been passed in the 1900s because of the risk of frightening horses, and like all good regulatory schemes, persisted well after the initial justification ended). But he also "inherited" the recommendations of the Rostow Task Force on Telecommunications Policy (this was an effort chaired by Under Secretary of State Eugene Rostow -- now U.S. appeals court Judge Richard Posner was the deputy director).

Completed in the waning days of the Johnson Administration, the Rostow Task Force recommended a series of pro-competitive changes in U.S. communications policies, perhaps most notably the competitive development of U.S. domestic satellite services. That recommendation was a challenge to Comsat Corporation -- created by the Kennedy Administration -- as well as AT&T (which, at the time, owned half the stock in Comsat).

Tom Whitehead pushed to have an Office of Telecommunications Policy (OTP) created within the Executive Office of the President (at the time, there was an Office of Telecommunications Management which was part of the Office of Emergency Preparedness (OEP) -- predecessor of today's FEMA, and one of the most powerful agencies in Government because the OEP Director administered America's oil import quotas). OTP, Whitehead, and the Antitrust Division of the U.S. Department of Justice then encouraged FCC Chairman Dean Burch to adopt the domestic satellite recommendations, which the agency commendably did.

As OTP Director, Whitehead battled Congress over public broadcast authorization

legislation (President Nixon vetoed one such bill). Whitehead and his senior staff -- including now-Justice Nino Scalia (and, C-SPAN inventor Brian Lamb) -- developed a "cable compromise" to allow for speedier development of cable television. Whitehead overlooked the personnel recommendations of former Senator Montoya -- later ousted for corruption -- and, as a result, lost his Chrysler New York sedan, and had to be driven in a GSA Motor Pool Plymouth instead. Mr. Coyt Belo, Whitehead's driver, incidentally, was to be OMB Director David Stockman's driver for years.

Tom Whitehead had tense relations with Senator John Pastore, long-time Chairman of the Senate Communications Subcommittee, and Massachusetts Congressman Torbert MacDonald (whose initial claim-to-fame was playing football at Harvard and rooming for a while with John F. Kennedy). But Whitehead and OTP were new kids on the U.S. telecommunications policymaking block at the time, and that was to be expected.

Tom Whitehead left Government service soon after President Nixon departed for "Casa Pacifica" in San Clemente. He went on to success in a variety of satellite and financial ventures (Google can provide a good deal in that regard). But getting competitive domestic satellite service was probably his singular accomplishment. Remember, but for that service we wouldn't have the cable television system we do now -- nor the competitive business communications that made growth on the part of a lot of other industries possible.

Now, one aspect of Dr. Whitehead's career involved facilitating the Nixon-Ford transition -- something which was detailed in "Woodstein's" sequel to All the President's Men. Like many books of this era, The Final Days is hard to find -- it's been "de-accessioned" by too many libraries. But it's a book worth scouting out and acquiring. Here's a brief excerpt:

Phil Buchen of Grand Rapids... dined that evening [April 1974] at the Georgetown home of Clay T. Whitehead, director of the White House Office of Telecommunications Policy. Buchen spent tree days a week in Washington as executive director of the Federal Privacy Commission headed by his former law partner, the Vice President of the United States [and billeted in the OTP offices]. ... Whitehead... agreed to help prepare for a transfer of power. ...

In Washington that evening [June 1974], Whitehead and Buchen met with the new members of the transition team for the first time: Brian Lamb, Whitehead's assistant... ; Larry Lynn, a former aide to Kissinger at the NSC; Jonathan Moore, formerly an assistant to Rockefeller and then to Elliot Richardson. The five men sat around Whitehead's dining-room table, drinking Cokes.

Bob Woodward & Carl Bernstein, The Final Days (1976) at pp. 158, 214 (excerpted).

* * *

Sunday 27 July 2008
Washington, D.C.

Class Notes

January-February 2009

I am writing these notes on September 14 as Marie and I prepare to depart for our annual autumn stay in Italy. While there I will also make a trip to Cambodia, the fifth of six trips to Southeast Asia I have planned for 2008.

Let me begin these notes with some especially good news, the state of our class's Endowment for Innovation in Education (EFIE). Our class treasurer (and webmaster), **Jorge Rodriguez**, has recently posted the EFIE numbers for June 30, 2008, to our class website. They show that since our 25th Reunion you have contributed over \$1.5 million to EFIE, which now has a market value of about \$6.2 million, and with almost \$1.7 million being awarded to our Faculty Fellows. Congratulations to you all! Visit our class website, <http://alumweb.mit.edu/classes/1960/efie-fund.html> to see the total picture of EFIE, as well as other up-to-date information on class activities. Also, if you still have your copy of the September/October 2008 Technology Review, take a look at page M26 with the class news for 1943 and 1944. There you find a great photo showing Jorge, **Linda Sprague**, and **Barry Bronfin** signing the Treasurer's Memo that reestablishes (but did not launch, as stated in the caption) the relationship between EFIE and the Institute.

One of my regular contributors and a 50th Reunion committee stalwart, **Sue Schur**, is having another exhibition of her paintings in May 2009 at the Somerville, MA, Library's Auditorium Gallery, with an opening reception on May 4, from 5:30 to 8:30 PM. You are all invited. Looking farther ahead, in March 2010, Sue's magazine, Technology & Conservation will be sponsoring an international conference on Glass and Glazing in the 21st Century. This conference is co-sponsored by MIT's Department of Architecture and Boston's Society of Architects.

I received some newsy correspondence from **Sheldon Epstein**, who is still hard at work in Wilmette, IL, running his own engineering firm. Shel reported that he continues to enjoy learning to use new technologies and that the computers he recently purchased have allowed him to take advantage of many new approaches to his business. On a less pleasant note, Shel reports that the worst storm he had ever seen on Chicago's North Shore flooded his and Suzanne's home. Shel wrote that "our neighborhood looked like it had been bombed, with many downed trees and ripped-off roofs." Shel decided to be his own general contractor for the rebuilding, a strenuous experience, but one that taught him a lot about materials, tools, and technologies used in homebuilding. Shel is pleased with his finished product. Shel reports that he and Suzie have been married 47-plus years and are particularly enjoying their four grandchildren, all of whom live nearby. Like many of us, Shel and Suzanne are looking forward to June 2010 and our 50th Reunion. Shel, noting the number of obituaries appearing in this column, suggested that we start a tontine. I know Shel is a lawyer, but I also believe that tontines are illegal, so I am going to stay away from that one!

I now turn to reporting the death of three classmates.

Gordon S. Mutchler died on August 15, 2008, in Houston, TX. Gordon was a professor of physics at Rice University. Gordon's warmth and sense of humor will be missed by his colleagues at Rice. The class extends its sincere sympathies to Gordon's wife, Lynne, and his

family and friends.

I also sadly report the death of **Clay T. (Tom) Whitehead** who died of prostate cancer on July 23, 2008, at Georgetown University Hospital in Washington, DC. After obtaining his doctorate in management from MIT in 1967, Tom was an economist for the Rand Corporation. Soon thereafter, he joined the Nixon Administration as an expert on budget policy. As a member of that Administration, Tom helped cable TV flourish by bringing competition to the satellite market in the early 1970s. President Nixon appointed Tom as the country's first telecommunications policy adviser where he championed free markets in the satellite business. In the mid-1980's, Tom also challenged Europe's state-owned television systems by helping organize the first private European satellite system, SES Astra in Luxembourg. He was also the founding president of Hughes Communications where he developed the Galaxy program of commercial satellites. Tom is survived by his wife Margaret, and two children, as well as three sisters, to all of whom we extend our sympathy.

In our November/December 2008 column, I briefly reported that death of **Robert J. Keeney**. Bob's longtime friend and classmate **Ralph Cuomo** passed along additional details about Bob, which I am including here. Ralph, as well as other friends, received personal notes and copies of Bob's obituary that Bob had asked his wife, Marge, to send to them after his death. Bob died at his home in Milford, MI, of choroidal melanoma. Bob had a forty year career with GE in their electrical power distribution business, much of the time as a technical sales representative and manager, with his final position being GE's manager for industrial sales to GM. After his retirement in 2000, Bob and Marge wintered in Hilton Head and spent extensive time traveling, visiting nearly 100 countries on 6 continents. While Bob was also a single digit handicap golfer, his interests included all sports and harvesting wild mushrooms. Bob is survived by Marge, his wife of 50-plus years, two children, and three grandchildren. The class sends its sympathy to his family and many friends.

Frank A. Tapparo, Secretary and Class Agent, 15 S. Montague St., Arlington, VA 22204 E-mail: ftapparo@alum.mit.edu

Tribute to Tom Whitehead, by Lisa Sockett (9/25/09)

In the summer of 2005 then Assistant Dean Sid Moore from George Mason Law School called me and asked whether I would be willing to co-teach a Communications Policy and Law seminar that Fall with a Distinguished Visiting Professor named Tom Whitehead. Dean Moore explained that Tom wasn't a lawyer and hadn't taught a class at the law school before, so he thought I could help Tom plan and organize the course, since I had already taught Communications Law here as an adjunct.

Thus began one of the most interesting six months of my life, as I came to know, work closely with, and greatly admire Tom Whitehead, a wonderful colleague and a fabulous teacher in the truest sense of the word.

To be honest, I didn't know who Tom was at first – Dean Moore told me that Tom had worked in the Nixon White House as the first director of the U.S. Office of Telecommunications Policy, the precursor to today's National Telecommunications and Information Administration at the Department of Commerce.

As Tom and I began to meet to plan the course, I was intrigued with his vision that he wanted to bring in weekly guest speakers to the class. But these weren't just any ordinary guest speakers – they were some of the most famous communications policy makers around. His line-up included:

- **Brian Lamb**, the founder and CEO of C-SPAN;
- **Glen Robinson**, Professor of Communications Law at the University of Virginia Law School;
- **Richard Wiley**, Managing Partner of Wiley, Rein & Fielding, and former General Counsel and Chairman of the FCC;
- **Dale Hatfield**, Professor of Telecommunications at the University of Colorado and former head of the FCC's Office of Plans & Policy and Office of Engineering and Technology, as well as former Deputy Administrator of NTIA;
- **Don Baker**, founding partner of Baker & Miller and former Assistant Attorney General for Antitrust;
- **Henry Geller**, former General Counsel of the FCC and former Director of NTIA;
- our own Professor of Law and Economics **Tom Hazlett**, former Chief Economist at the FCC;

And, of course . . .

-- **Supreme Court Justice Antonin Scalia**, former law professor and former General Counsel of the White House Office of Telecommunications Policy.

How did Tom know all these people, and how did he manage to get them all to agree to come to our small, fifteen-student seminar here at George Mason law?

Well, some of Tom's magic was due to serendipity. When Tom started the first Office of Telecommunications Policy at the White House, he managed to hire a young law professor named Antonin Scalia as his General Counsel, and a young journalist named Brian Lamb as his media and congressional expert. He obviously could spot talent.

But as I heard more of Tom's story, I realized that he himself was a telecommunications pioneer. During the 1970's Tom used his White House position to advocate for more openness and competition in the telecommunications industry. Among other things, he succeeded in getting the FCC to adopt an Open Skies policy allowing for multiple, non-governmental satellite communications providers. Many credit this policy with revolutionizing the television industry by enabling cable operators to provide programming on a nationwide basis.

During this critical period, Tom was working with all these other telecommunications pioneers at the FCC and later at NTIA and elsewhere in the government. They all formed strong bonds of friendship through their desire to change telecommunications policy to make openness and competition the norm.

So when Tom asked these pioneers to show up in our classroom, they did! And that made for a very special experience that Fall. The students – and I – got to hear behind-the-scenes stories from Dick Wiley about his tenure as the head of the FCC's digital television committee; and from Don Baker about the AT&T breakup. We heard two spectrum experts – Dale Hatfield and Tom Hazlett -- give policy advice seemingly from two ends of the spectrum!

And, of course, we heard great insights from Brian Lamb about starting the cable channel -- C-SPAN – to bring the inner workings of Congress to the American people in an unfiltered way, whether we like what we see or not.

I was most touched by the time we spent with Justice Scalia. As I rushed to class that morning, I realized that we had forgotten to ask the students to dress in something other than baggy jeans and a t-shirt. To my relief, when I entered the class, all fifteen students – without prompting – were wearing courtroom attire appropriate for Justice Scalia's visit. Tom and I were very proud of them that day.

I will never forget Justice Scalia's willingness that morning to engage the students in legal discussions about the government's ability under the Constitution to regulate indecency over the airwaves – always a hot topic – and whether the FCC had the authority to deem cable broadband an information service under Title I of the 1934 Communications Act.

During our discussions, Justice Scalia spoke about his concern about the coarsening of our society's morals. I often wonder when I'm reading his opinions to what extent he is responding to those concerns.

At Tom's request, both Brian Lamb and Justice Scalia also spoke to the entire law school after visiting with our class, and both gave talks that were very well received. I was so impressed with how generous they were with their time. And, I realized, it all came down to Tom. They did it for him.

The phrase I use to describe Tom is that he was the consummate gentleman. He was always dressed impeccably, on time, and prepared. He was very respectful of my opinions and the opinions of our students.

What made it really fun to be around him is that he was always eager to engage in rigorous intellectual discussions about communications issues as well as the issues of the day. He seemed to enjoy life to the utmost, and he also really enjoyed teaching the class. He was energized by being around the students, sharing his knowledge, and allowing them to be a part of his unique circle of friends, who also happened to be titans in the world of communications and law.

I believe that teaching that course was, in a way, a culmination for Tom of a lot he had achieved in his life regarding communications policy. I think it was a highlight for him – I know it was highlight and a privilege for me and for our students.

Thank you very much for allowing me to share my experiences and memories of Tom Whitehead with you.