



FALL 2026 COURSE SYLLABUS

Course Number: 181-R01

Course Title: Communications Law

Credit Hours: 3

Grading Mode: Letter grade

Meeting Day(s)/Time(s): TUE/THUR 8:10PM-9:35PM

Meeting Mode: Online

Exam Day(s)/Time(s): DEC 8, 6:00PM

Final Exam Mode: In-Person exam

Prerequisite(s): **RECOMMENDED:** Law 116 and/or Law 266

Corequisite(s): N/A

Instructor(s): JAMES LAMOUREUX

Contact Information: jlamour@gmu.edu

Office Hours: I am not planning on having set office hours. If anyone would like to schedule time to speak with me outside class hours, please email me and we can set up a time to talk by Teams. I'm also happy to stick around after class most nights.

Course Overview

This class will introduce students to U.S. communications law. We will focus on the way in which statutes, regulations, and public policy all interact to create and shape what we think of broadly as communications law in the U.S. We will consider how the development and adoption of specific technologies and services (voice telephony, broadcasting, cable, mobile communications, internet access) have converged and disrupted communications policy, and we will discuss some of the practical aspects of a day-to-day communications law practice. By the end of the semester, students will be familiar with a broad sweep of U.S. communications law and policy so they can think critically about how technological innovation and other factors will shape this field moving forward.

Course Learning Outcomes

By the end of the course students should:

- Have a basic understanding of the fundamentals of U.S. communications law and the public policies that drive communications law.
- Be conversationally fluent in the practical aspects of U.S. communications law
- Be able to think critically and apply the basic policy principles of U.S. communications law to new issues, services, and technologies.

Reading(s) & Supplement(s):

Benjamin, Richman & Speta, *Internet and Telecommunications Regulation 2d Edition* (Carolina Academic Press, 2023) (either e-book or hardcopy) (“ITR”).

Additional course materials will include relevant statutes, court decisions, and FCC documents. Students will be responsible for finding all statutory provisions and nearly all court opinions. I will provide FCC documents the first few weeks of class and will provide a primer so that students can find FCC material after that.

The syllabus will indicate where only excerpts from those materials are required reading. Where the syllabus says to “survey” material, that means to flip through the material and get an overall sense without needing to understand the substance. Where the syllabus says to “skim” material, that means to quickly read the material to get a loose understanding of it.

Grading Policies

Your grade will be almost entirely based on the final exam, although it may be modified based on your in-class participation and attendance. Students are expected to be active and thoughtful participants in classroom discussions. Exceptional participation may result in an upward adjustment of your final grade by one step (e.g., from B+ to A -); a significant lack of in-class participation may result in a downward adjustment of your final grade by one step (e.g., from B+ to B).

Classroom Policies

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Use of Technology & AI: Generative AI tools may be used in this course to brainstorm, outline, and study outside of class, but students may not use AI at any point in the classroom or during testing. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Use of Electronic Text Books During Exams: Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's written exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

Course Schedule & Assignments

Just as the communications sector can be unpredictable at times, the list of reading assignments is subject to change. I will update the syllabus accordingly. Students are free to read ahead, but keep in mind that the syllabus could change. Unless otherwise instructed, however, students should come prepared to discuss all assigned materials for a particular class session.

INTRODUCTION TO COMMUNICATIONS LAW AND THE FCC

CLASS	TOPIC	READING
(1) Aug. 18	General intro to U.S. communications regulatory landscape	ITR: <i>Preface</i>; ITR: <i>Chapter One: Intro to Internet and Telecoms Regulation</i>; §1.A.
(2) Aug. 20	Intro to the FCC and PUCs Statutory Guardrails on FCC action (the Administrative Procedure Act)	ITR: <i>Chapter One: Intro to Internet and Telecoms Regulation</i>; §§1B (1), (2) and (4) and §1C <u>Survey</u> 47 USC <u>Survey</u> 47 CFR <u>Survey</u> the FCC's website (FCC.gov) <u>Survey</u> the California Public Utilities Commission website. <u>Skim</u> Chairman Carr's Statement on Highlights of FCC 2025 Wins (12-23-25) <u>Skim</u> 5 U.S.C. §§ 551, 552(a), 553, & 706

THE SCOPE OF THE FCC'S AUTHORITY

CLASS	TOPIC	READING
(3) Aug. 25	Statutory basis and judicial interpretation of the FCC's authority and jurisdiction	<u>Survey</u> 47 U.S.C. <u>Skim</u> 47 U.S.C. §§ • 151 • 152 • 154(i)

		• 201 • 230 • 301 • 303(r) • 521 • 721 • 1302 • 1601 <i>NBC v. U.S.</i>, 319 U.S. 190 (1943) [Read from the ¶ that begins with “The plight into which radio fell...” through the ¶ that begins “Generalities unrelated to the living problems...”] <i>U.S. v. Southwestern Cable Co.</i>, 392 U.S. 157 (1968) [Read § II] <i>U.S. v. Midwest Video Corp.</i>, 406 U.S. 649 (1972) [Read from the ¶ that begins “In 1996 the Commission promulgated....” through the ¶ that begins “This conclusion, however, did not end...”]
(4) Aug. 27	Judicial interpretation of the FCC’s authority and jurisdiction cont’d.	<i>AT&T Corp. v. Iowa Utilities Bd.</i>, 525 U.S. 366 (1999) [Read § II] ITR § 7.d.: <i>Jurisdiction to Promote Competition in MVPD Markets</i> <i>Huawei Technologies USA, Inc. v FCC</i> (5th Cir. 2021)

REGULATION OF THE PUBLIC SWITCHED TELEPHONE NETWORK

CLASS	TOPIC	READING
(5) Sept. 1	History of U.S. regulation of PSTN services	Read AT&T 1910 Annual Report pp. 21-26, 36-40 and 43-47 Read the <i>Kingsbury Commitment</i> (in the AT&T 1913 Annual Report) <u>Read</u> Commissioner Pai’s Remarks on the 100th Anniversary of the <i>Kingsbury Commitment</i> <u>Skim</u> ITR §§ 4.A. – 4.C

		<u>Read</u> ITR §§ 4.D
(6) Sept. 3	PSTN Regulation Cont'd	<u>Read</u> 4.E.1 and 4.F <u>Read</u> Introduction to ITR Chapter 5 and <u>Skim</u> §§ 5.A. – D.

UNIVERSAL SERVICE

CLASS	TOPIC	READING
(7) Sept. 8	Universal Service	<u>Read</u> 47 U.S.C. § 254 <u>Read</u> ITR § 5.E
(8) Sept. 10	The future of broadband universal service support	<i>Report on the Future of the Universal Service Fund</i> , WC Docket No. 21-476 (Aug. 15, 2022) FCC 22-67 <i>FCC v. Consumers' Research</i> , 145 S.Ct. 2482 (2025) 47 USC § 1702(b) <u>Survey</u> the section of NTIA's website on BEAD <i>BEAD NTIA BEAD Restructuring Policy Notice</i> §§ 1-3 Space X <i>ex parte</i> , WC docket Nos. 26-96 and 10-90 (05-13-26) <i>2026 NPRM on High Cost Fund</i> , FCC-26-35 (05-21-26) [<u>Skim</u> the whole NPRM and <u>Read</u> ¶¶ 1-6, 27, 42-43 & 45]

REGULATION OF Voice over Internet Protocol (VoIP)

CLASS	TOPIC	READING
(9) Sept. 15	U.S. regulation of VoIP	<i>Pulver Free World Dial-up Order</i> 19 F.C.C.R. 3307 (FCC 04-27) (rel. Feb. 19, 2004); <i>Vonage Order</i> 19 F.C.C. R. 22404 (FCC 04-267) (rel. Nov. 12, 2004) [<u>Read</u> §§ I. – III.A.] 47 CFR 9.3

		<i>VoIP 911 Order</i> , 20 F.C.C.R. 10245 (rel. June 3, 2005) [Read Introduction and § III.A. - B.]
(10) Sept. 17	VoIP regulation cont'd	<i>VoIP USF Contribution Order</i>, FCC 06-94 (rel. 06027006) [Read ¶¶ 13-15 & 34-49] <i>Minnesota PUC v. FCC</i> 483 F.3d 570 (8th Cir. 2007) [§ III.] <i>Charter v. Lange</i>, 903 F.3d 715 (8th Cir. 2018)
(11) Sept. 22	VoIP regulation cont'd	<i>Cal. PUC Decision on VoIP Regulations</i>, CPUC Dec. No. 24-11-003 (11-12-24) [Read §§ 4 and 5] <i>CCA and CVA Petition for Declaration Ruling that CPUC VoIP Regulation is Preempted by Federal Law</i> (01-27-25) <i>FCC NPRM on IP Interconnection</i>, FCC 25-73 (rel. 10-29-25) [Read ¶¶ 65-80]

INTERNET REGULATION, NET NEUTRALITY AND SEC. 230

CLASS	TOPIC	READING
(12) Sept. 24	Internet access classification and context of NN regulations	47 U.S.C. §§ 153(24), (50) and (53) ITR <i>Chapter Six § 6.A</i> <i>Microsoft Craig Mundie ex. parte</i> (Oct. 18, 2002); Tim Wu, <i>Network Neutrality, Broadband Discrimination</i> (April 23, 2005) [Skim the whole article and read § IV.] <i>Madison River consent Decree</i>, Da-05-543 (03-03005) Article with Whitacre “my pipes” quote Read 47 U.S.C. § 1302
(13) Sept. 29	Intro to net neutrality in the U.S.	ITR <i>Chapter Six (B)</i> , through the first <i>United States Telecom Ass’n</i> case
(14) Oct. 1	Net neutrality	ITR <i>Chapter 6 REMAINDER</i>

		<i>ITR Chapter 7.E</i> <i>NY State Telecomm'ns Ass'n. v. James 101 F.4th 135 (2d Cir. 2024) [Skim Discussion § II.A. and read § II.B.</i> <i>Ohio Telecom. Ass'n v. FCC 124 F.4th 993 (6th Cir. 2025)</i>
(15) Oct. 6	Intro to Sec. 230	<i>Cubby v. Compuserve</i>, 776 F. Supp. 135 (S.D.N.Y. 1991) <i>Stratton Oakmont, Inc. v. Prodigy Servs. Co.</i>, 1995 WL 323710 (N.Y. Sup. Ct. May 24, 1995); U.S.C. § 230 <i>ITR Chapter 15A.</i>

OCTOBER 8: NO CLASS (Fall Break)

CLASS	TOPIC	READING
(16) Oct. 13	The evolution of Sec. 230	<i>ITR Chapter 15B. – 15C.</i> <i>Judge Kuhl's Denial of Meta's Motion for Summary Judgment</i>, Cal. Sup. Ct. 22STCV21355 911-5-25) <i>Algorithm Accountability Act</i> (Sens. Curtis and Kelly)
(17) Oct. 15	The debate over Sec. 230 at the FCC	<i>Executive Order Preventing Online Censorship</i> (May 28, 2020) <i>NTIA Petition for Rulemaking</i>, RM-11862 (07-20-20) <i>CTA Comments</i>, RM-11862 (09-02-20) <i>Free State Foundation Comments</i> RM-11862 (09-02-20)

SPECTRUM REGULATION

CLASS	TOPIC	READING
(18) Oct. 20	Spectrum regulation	<i>ITR Chapter 9A. – 9D.1</i>

		<i>Review the NTIA's U.S. Frequency Allocation Chart (Sept. 2025)</i>
(19) Oct. 22	Spectrum regulation cont'd	<i>ITR Chapter 9D.2 – 9D.4</i>
(20) Oct. 27	Spectrum regulation cont'd	<i>ITR Chapter 9 E. - 9F.</i>
(21) Oct. 29	Spectrum regulation cont'd	<i>FCC 6GHZ Wi-Fi Order, FCC 20-51, 2020 WL 2013310 (rel. April 24, 2020) [Survey the whole order and read ¶¶ 1-4, 17-20, 229-230]</i> <i>FCC Upper C-Band NPRM, FCC 25-78 (11-21-25)</i> <i>FCC SCS Order, FCC 24-28 (rel. 03-15-24) [¶¶ 1 – 5 and 18 – 26]</i> <i>Order Approving SpaceX Purchase of EchoStar Spectrum, DA-26-471 (05-12-26) [¶¶ 1 -5 and 38 – 45]</i>

Nov. 3: NO CLASS (Election Day)

BROADCAST REGULATION

CLASS	TOPIC	READING
(22) Nov.5	Current Topics in Broadcast Regulation – <i>Bona Fide News</i> Programs under 47 U, S, C. § 315(a)	<i>ITR Chapter 11.A & 11.B.1 (through note 3)</i> <i>47 U.S.C § 315(a)</i> <i>FCC Guidance on Political Equal Opportunities for Broadcast Television Stations DA 26-28 (01-21-26)</i> <i>Disney Petition for Declaratory Ruling (05-07-26)</i> <i>FCC Public Notice Seeking Comment on Disney Petition, DA 26-517 (05-22-26)</i> <i>FCC Howard Stern Declaratory Ruling, DA-03-2865 (rel. 09-09-03)</i> <i>More/different material likely to come as this proceeding moves along</i>

NATIONAL SECURITY

CLASS	TOPIC	READING
(23) Nov. 10	The FCC's Expanding Role in National Security Issues	<i>Reread Huawei</i> 47 U.S.C. § 1600 <i>et. seq.</i> Skim the FCC's "Covered List" <i>FCC Order Prohibiting Authorization of Equipment on the Covered List</i>, FCC 22-84 (rel. 11-25-22) [<u>Read</u> ¶¶ 1, 3 – 6, <u>skim</u> 7- 23, 34-44, and 24.]
(24) Nov. 12	National Security Cont'd	<i>Chairman Carr Statement on New Council on National Security</i> <i>Carr Statement on New Investigation Into CCP-Aligned Entities</i> (03-21-25) <i>FCC Public Notice Adding Routers to Covered List</i>, DA 26-278 (03-23-26) [<u>Read</u> pp.1-3] <i>FCC Covered List 214 NPRM</i>, FCC 26-29 (rel. 05-01-26) [<u>Read</u> ¶¶ 1-22.]

APPLYING COMM LAW PRINCIPLES TO REGULATE ONLINE PLATFORMS

CLASS	TOPIC	READING
(25) Nov. 17	Online platforms as common carriers	<i>ITR Chapter 5.B.2</i> <i>NetChoice, LLC. et. al. v. Attorney General of Florida, et. al.</i>, 34 F.4th 1196 (11th Cir. 2022) [<u>Read</u> §§ I.A., I.B., and II.B.2.a.] <i>NetChoice, LLC, et. al., v. Paxton</i>, __ F.4th __ (5th Cir. 2024) [§ V.B.3.] <i>Ohio v. Google, Granting Motion to Dismiss</i>, OH Court of Common Pleas, Del. Cnty., Case No. 21-CV-H-06-024 (08-15-25)

CONCLUSION

CLASS	TOPIC	READING
(26) Nov. 19	Wrap up	Tying it all together Current Topics, other regulatory functions of the FCC, and the future of communications regulation

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-993-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[University Life](#)