

Political Reforms And Social Activism In The Progressive Era

Posted on September 19, 2018

The Progressive Era marks a time that witnessed widespread political reform and social activism in the whole of the United States from the 1890s to the 1920s. The primary aim of this movement and activism was to get rid of the problems created by urbanization, industrialization, corruption in the government and immigration. The primary target of the campaign was the political cartels and their bosses. There would be the further establishment of direct democracy by taking down and removal of the corrupt officials in office. The movement also aimed at pushing for the regulation of monopolies and corporations, a campaign termed Trust Busting, by application of the antitrust laws. Most individuals perceived the antitrust acts as a tool they could use in the promotion of equal competition which would favor the legitimate competitors.

Most of the progressives were in support of the prohibition of alcoholic drinks from a religious point of view and motivation, while others ostensibly did it to bring down the political power of the local wealthy people based in saloons. Consequently, there was the promotion of women's suffrage with the objective of attaining a purer female vote in the political arena. The third primary aim was to build an Efficiency Movement in each sector to identify the old concepts that needed improvement and improvement as well as obtaining scientific, engineering and medical solutions. The efficiency movement incorporated scientific management, also known as Taylorism, as its vital part (Buenker, 1998).

Most activists joined and supported the efforts made in the reforming of local authorities, public education, industry, insurance, railroads, finance, and churches, among others. The progressives led to the transformation, professionalization and scientific of the social sciences, particularly in political science, history, and economics. In the academic arena, the day of the upcoming author paved the way for the research professor who authored and published in the new presses and scholarly journals. Theodore Roosevelt, Robert M. La Follette, Sr., and Charles Evans Hughes of the Republican party and William Jennings Bryan, Woodrow Wilson and Al Smith of the Democratic party were among the national political leaders. However, the movement leaders also stretched far from the national leader politics. Among the most influential reformers known in the Progressive Era include Grace Abbott, Jane Addams, Edith Abbott and Sophonisba Breckinridge (Link, 2012).

On its establishment, the movement chiefly operated at local grounds with later expansion to state as well as the national levels. The main supporters of the progressives were middle-class individuals who mainly comprised many teachers, lawyers, ministers, physicians and business people. There was intense campaigning for and support of the scientific methods in use in government, economics, finance, industry, medicine, theology, schooling, family and education by some of the progressives.

This was through close follow-up of the progress and advances made at that time in Western Europe and went ahead to adopting most of the policies and regulations, such as the significant transformations made in the banking sector through the creation of the Federal Reserve System in the year 1913. In the view of most reformers, the old-fashioned and outdated ways applied were waste and inefficient and were ready to establish and advance one best system (Rimby, 2012).

While it had begun as a social movement, progressive activism later transformed into a political campaign, with most of the early progressives opposing Social Darwinism. Most individuals were in the argument that the challenges that the community faced, such as poverty, racism, greed, violence and class welfare, could be addressed best through the provision of a safe environment, good education, as well as an efficient workplace and environment. Most of the progressives resided in the cities and had attended colleges; they believed that the authorities, mainly the government, could be a transformative tool (Link, 2012).

Some of the advantages associated with progressive activism include better pay, shorter working hours, safer and secure working conditions as well as increased benefits for the laborers. They also opposed child labor and campaigned for school attendance for children since it was in their belief that education would allow the citizens to live successfully as compared to working in factories and mines. Through their campaign on prohibition, they succeeded in the formulation of a ban on the manufacturing, transportation as well as selling of alcohol, a ban featured in the Eighteenth Amendment of the American Constitution in 1919 (Buenker, 1998).

They also pushed for reclamation of the government from the tycoons and business owners as well as the corrupt politicians through offering support to the direct public participation in electing senators into office. In 1913, the progressives won after the attainment of this reform with the adoption of the Seventeenth Amendment to the United States Constitution. Other benefits realized during the progressive era include Initiative, which facilitated the voters to pass individual legislation; Referendum, which allowed public participation in the passing of laws as well and Recall, which gave voters the power to remove the elected leaders from office in case they were incapable of doing their duties (Rimby, 2012).

Despite the achievements, the progressive era also had a variety of disadvantages. These included the seemingly bright idea that the progressives were forcing their social and political views and beliefs on others. There was the enacting of immigration bans and restrictions fronted by the progressives in the 1920s. They also used the settlement homes as a way of forcing their cultures on other people. In these places, the immigrants were provided with free clothes, food, educational classes and job training. While helping the immigrants, they sold the progressives sold their beliefs to them and coerced them to adopt them. By the late 1920s and early 1930s, the movement weakened, and its power began fading away. With the eruption of World War 1, the progressive era came to an end. This was after the public witnessed people's cruelty in the wake of the horrors of the war. Most individuals associated this cruelty with President Woodrow Wilson as a result of his use of progressive language during the conflict, in which he stated that war would transform the world and make it safer

for democracy (Rimby, 2012).

Federal Radio Act Of 1927

From its establishment in 1926 until its removal and replacement in 1934 by the Federal Communications Commission (FCC), the Federal Radio Commission (FRC) was a government corporation that was tasked with the regulation of radio use in America. The Body was established with the aim of regulating radio use and broadcasting as required by the public conveniences, interests, and necessities. The body formulated and enacted the Radio Act of 1927, which was more powerful and efficient than the Radio Act of 1912, which had bestowed the Secretary of Commerce and Labor the regulatory authority over radio broadcasting and communication. The 1912 Radio Act failed to mention programming and was also known for limiting all private radio activities to what is currently referred to as AM band (Craig, 2006).

Before 1927, the United States Department of Commerce had the responsibility of regulating radio. The powers of the department and its secretary were limited by the nation's court rulings, and he was not particularly permitted to deny broadcasting licenses and rights to anyone who wanted one. This led to many individuals perceiving the airwaves to suffer from the violence, with numerous radio stations making efforts to broadcast on the few frequencies available. Other people argued that this move was put in place by the government to facilitate its objectives of content control. During that period, there existed only two frequencies, with one under reservation for weather forecasts and crop reports. With futile attempts to rectify to amend this situation, the Radio Act of 1927 was finally passed by Congress. This move saw the transformation of radio responsibilities to the newly established Federal Radio Commission. However, some of the technical tasks remained under the supervision of the Radio Division of the Department of Commerce (Winn et al., n.d.).

Another event that led to the formation of the Radio Act of 1927 was to give powers to the FRC to grant or deny broadcasting licenses and rights as well as the assignment of frequencies and levels of ability associated with each licensee. Despite the fact that the Commission was not granted the proper jurisdiction to conduct censorship, programming was required to exclude indecent, obscene and profane language. Theoretically, the Commission allowed the broadcasting of anything else. The Commission considered the nature of the programming of each station when making renewals of the licenses. Their powers to strip the broadcasters of their licenses enabled and eased, to some extent, their tasks of controlling the content (Winn et al., n.d.).

The progressive movement also led to the enactment of the Radio Act of 1927. This was a result of the competition between the progressives and the government to control this activism. The campaign fought against restrictions to free speech and opinions since there was a shared commitment to ensuring social harmony. Their view that free speech and dissent ought to be appreciated and should be nurtured because they contributed to a democratic society furthered their course hence the 1927 Radio Act. In the 1920s, the nation witnessed conflicts between rural sentiments and urban life, which

limited the formation of a broad-based progressive body (Craig, 2006).

Another event that led to the formulation of the Radio Act of 1927 was the need for legislation on broadcasting rights. With technological advancements having outpaced the regulations documented in the 1912 rule, the broadcasting arena was poorly regulated and legislated. This, therefore, led to the need for legislation of the broadcasting laws that led to the eventual formulation of the Radio Act of 1927. After the 1927 regulation, anyone with the equipment and expertise to broadcast to an audience base of up to 25 million people could access the airwaves (Craig, 2006).

The Radio Act of 1927 is associated with some benefits and has played a significant role in the advancement of the American Media Policy. The main aim that saw the formulation of FRC was to try and bring some order and control to the chaotic situations that were in place as a result of the breakdown and failure of earlier wireless regulations formulated during the development and advancement era of the wireless radio communication. At first, the Commission struggled to execute its roles and responsibilities in the control and regulation of the radio airwaves and without a clear outline of what should or should not be programmed, almost everything was broadcast (Winn et al., n.d.).

Other than regulation of the media, another advantage was that the Act accorded the broadcasters fewer First Amendment rights as compared to newspapers. The rule had a clear designation of the electromagnetic spectrum as a part of the public domain thus permitting the Commission to have the powers to give rights to the spectrum users while also forbidding the privatized ownership of the communication channels. The Act also facilitated the establishment of a permanent allocation scheme suitable for business and political constituents. This was after the failure of the 1912 Act, which indicated a scarcity of available channels for broadcasting purposes. The Radio Act of 1927 gave powers to the commission to formulate and enact laws and regulations to limit the number of entities in use of the airwave. This move was a result of the fact that the radio spectrum, together with the limited engineering abilities, could not accommodate the people who wanted a speaking opportunity. The commission was provided with a lot of discretionary power by the legislators and was only subject to adjustments and adjudication by the national courts (Craig, 2006).

The Radio Act of 1927 also facilitated the current expectations of regulatory policies. The Act necessitated the commission made up of five members. Each member was appointed and tasked with the duty of representing a particular geographical area of America. According to Congress, it was the task of the agency to facilitate dispense with the interference challenges within their first year. After this, the Commission would transform into a consultative, quasi-judicial entity that would hold meetings whenever necessary. The Act, in its sections 4 and 9, took into consideration an undefined public interest standard and, at the same time, gave the duty to the commissioners of licensing and regulating the wireless stations. However, national broadcasting radio stations were excluded from this regulatory, monitoring and control oversight. Courts of appeal were the only entity with the power to decide the licensing decision made by the commission. This would mainly be done as a de novo review (Winn et al., n.d.).

Communications Act Of 1934

The Communications Act of 1934 is an American federal regulation that was signed by President Franklin D. Roosevelt into law on the 19th of June 1934. Chapter 5 of Title 47 of the United States Code is the code name assigned to this law. It took the place of the Federal Radio Commission through the establishment of the Federal Communications Commission (FCC). After the legislation of the law, the duty to regulate interstate telephone services was transferred to the FCC from the Interstate Commerce Commission (Paglin, 1989).

In the first section of this 1934 Act, it is written: “For the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of the national defense, and for the purpose of securing a more effective execution of this policy by centralizing authority theretofore granted by law to several agencies and by granting additional authority with respect to interstate and foreign commerce in wire and radio communication, there is hereby created a commission to be known as the ‘Federal Communications Commission,’ which shall be constituted as hereinafter provided, and which shall execute and enforce the provisions of this Act.”

Notably, the Act made a combination as well as a reorganization of the existing provisions of the rules, which included the requirements outlined by the Federal Radio Act of 1927 about radio licensing and regulation as well as the Mann-Elkins Act of 1910 which related to telephone services (Paglin, 1989).

One of the events that led to the formulation and establishment of the 1934 Act was the technological advancements witnessed in the world, particularly in America. In the wake of the year 1933, the then President, Franklin D. Roosevelt, requested the appointment of an interdepartmental entity that was tasked with studies regarding electronic communications. The committee researched and concluded that the communications services ought to have been under the regulation of a single corporation. This move would be useful as far as it involved congressional action. This led to the recommendation for the establishment of a new commission that would be tasked with the regulation of all interstate as well as foreign communication by radio and wire, telephone, telegraphy, and broadcast (Paglin, 1989).

With the considerations and the fact that communications technology would be an interstate good, the government saw the need to regulate it. This was another event that led to the formulation of the Communications Act of 1934. Together with state regulators and other lobbyists, the President wanted the monitoring of the communications advancements, both wired and wireless in a similar way. With this desire, they influenced and manipulated Congress to pass into law the Communications Act of 1934. The primary objective was to have the regulation and censorship of the telephone and broadcasting services with similar jurisdiction and with the application of similar means as to those

applied by the ICC in control of interstate commerce and railways. This Act, however, did not take into consideration price regulations through the FCC and therefore restricted it. This was a result of the robust lobbying activities by the National Association of Regulatory Utility Commissioners (NARUC) (Paglin, 1989).

The act has several significances attributed to it regarding the development of the American media policy. The Act has received praise and defense from critics as well as condemnation from various individuals and groups. This is after the assessment of its provisions and the effects it has created. One of its importance is its role and breadth in the establishment of a single independent regulations commission mandated with the powers to monitor and control all electronic media in question. Similarly, the Provision is also admired for its structure in the sense that it encompasses the judicial, legislative and executive branches of the government in its efforts to execute and evaluate its various duties, as is the case with the laws facilitating the establishment of other regulatory agencies. Consequently, the law is of significance due to its interpretive qualities in the sense that it dictates and influences the initiatives interpreted by the FCC, hence executing them according to contemporary interests and needs. This interpretive feature has, however, been viewed as a weakness. This is the case when specific requirements and provisions are in need of further and more in-depth clarification for effective adoption.

Other disadvantages and criticisms arise in the appointing methods and criteria for filling the positions of commissioners. This process is left to political scrutiny and objection, which can be precedence over the qualifications of the appointee. Another point of concern is the probability of Congress refraining from the approval of the appointment of any commissioner, if not all, or causing delays in the appropriation of the operations budget with the aim of manipulating the functioning and performance of the FCC (Paglin, 1989).

Despite these flaws, the Communications Act of 1934 its fundamental effectiveness is a testimony to its survival. It is not only the first but also the only comprehensive regulatory provision for all electronic media. The Act boasts having its successful efforts in solving the regulatory issues experienced even by its predecessors. With the evolution and advancement apparently taking place in media, the Act is expected to advance as well and solve new challenges that may arise. There are some problems and proposed amendments to the Act. There was an unsuccessful suing of the FCC by the company CellAntenna, which claimed that there was an overriding of the Communications Act of 1934 by the Homeland Security Act of 2002 (Paglin, 1989).

As the act remains in effect up-to-date, it restricts both the local and state law provisions from applying jamming devices and bugs to distort criminal and terrorist acts. CellAntenna Company lost in this case but responded to the legislation of The Safe Prisons Communications Act as a way of showing support. This was an attempt by Senator Kay Bailey Hutchison and Representative Kevin Brady to ensure amendments were made to the Communications Act of 1934. The Act has also witnessed public debates on the necessity of an Internet kill switch, which is outlined in a proposed Protecting Cyberspace as a National Asset Act. By this, the 1934 Act is stripped of its powers, which

are handed over to the President to stop the internet in case there is a cyber-attack (Paglin, 1989).

Telephony Regulation

The major forces that are leading to national, regional as well as global transformations in the economy are the remarkable changes and advancements in policies, markets and, more significantly, technology. There is the provision of new opportunities for people to participate in the information and communication technologies and services sector, as well as applying community-based services in the economy. This is a result of combining the development and increased pervasive use of ICTS on the one hand and the global movement of liberalizing markets and restructured regulation on the other hand (McKnight, Lehr & Clark, 2001).

The Telecommunications Policy in the United States also referred to as the Telephony Policy, is a federal framework of laws and regulation under the directorship of the Regulatory Commissions, notably the Federal Communications Commission, together with the government. This policy is marked by two landmark provisions, the Communication Act of 1934 and the Telecommunications Act of 1996, which are in effect up-to-date. The Telecommunications Act of 1996 was aimed at revising the 1934 provision and building competition in the telecommunications sector mainly (McKnight, Lehr & Clark, 2001).

The policy, in the view of public interest, is majorly concerned with the internal regulation of the economy as well as global communication. This encompasses all communications made through wire, cable, telephone, radio as well as satellites. The policy outlines the antitrust laws and regulations that are typical for industries with significant challenges and limitations to entry. Other characteristics of the rules featured include the common carrier rules which are in control of the access to networks. Despite the requirement that telephone providers be common carriers, there are ongoing debates on net neutrality regarding the ISP's obligations (Goralski & Kolon, 2000).

The provision also addresses the management and control of the resources under government ownership, such as the spectrum, which enables all wireless communications. Naturally, there are limited quantities of usable frequency in existence, which therefore results in significant market demands, particularly as applicable by mobile technologies that employ the electromagnetic spectrum. One of the primary objectives of the FCC is to ensure the best utilization of this limited resource in a way that will facilitate maximum utilization and use. The committee initially determined who was licensed to use the spectrum, but since 1993, permitting is primarily determined by auction, a move aimed at ensuring the applicant is qualified as well as motivated for proper use of the commodity (Goralski & Kolon, 2000).

The United States Telephony policy just as is the case for the sector, has undergone significant changes and amendments. This is owed to some factors which contribute to and define these changes. One of the main events that have led to the formulation and legislation of the policy is the

tremendous change and advancement in technology. This has facilitated the critical inputs made in the telecommunication and computer-related services as well as contemporary goods hence a dramatic reduction in the expenses incurred in traditional telecommunication methods and functions. The policy has also facilitated the provision of new and advanced technologies, such as the Internet, to the general public at affordable prices (Goralski & Kolon, 2000).

The second reason that has led to the formulation of the policy, as well as the placement of these revolutionary changes, is the remarkable digitization of telecommunications and other related areas. Other than the transformation and scanning of the underlying telecommunications technology, the same has happened to consumer and business telecommunications, with their interfaces shifting to more versatile and almost multifunctioning computers as compared to the old telephones. Significant business opportunities have been realized as a result of the digitization and incorporation of telecommunication services with computers. This has also created considerable pressure on the old pricing mechanisms, more specifically in voice telephony, therefore generating a threat to the fundamental characteristics of the traditional regulatory structure (McKnight, Lehr & Clark, 2001).

Another reason that has led to the advancing upheaval in the telecommunications industry is the legislation and documentation of a new significant regulation aimed at governing telecommunications in America. This provision is codified in the Telecommunications Act of 1996. In the past, telecommunications has been subject to a complicated state and federal regulatory transformation and structure. Despite numerous efforts made by the 1996 act regarding the adaptation of the organizational structure to technological reality, it was marred by a variety of changes, thus delaying, if not nullifying, its effects and impacts (Goralski & Kolon, 2000).

The application of regulatory measures should be made with the apparent deregulation of the markets, which may fail even with the formulation and placement of reasonably strict and limiting antitrust enforcement. In truism, the successes or failures of a market without regulation are crucially dependent on the demand and cost scenarios under the current technological developments and advancements. There is expected continuous and rapid progress and innovations in the field of telecommunications technologies, as has been witnessed for the past forty years. Due to technological changes, the conditions in costs are expected to shift considerably over a period and can result in the transformation of markets that need regulation into ones that do not require management. This is significant for telecommunications and has been produced in successive deregulations. However, by taking into consideration all these factors, more regulatory policies may be formulated if not the amendment of the already existing policy frameworks such as the telephony framework (McKnight, Lehr & Clark, 2001).

Telecommunications Act Of 1996

The Telecommunications Act of 1996 is considered as the first significant overhaul of telecommunications law for over sixty years. It was an amendment to the Communications Act of

1934. The legislation was a significant representation of a substantial change in the United States telecommunication law as it was the first to include the Internet as a broadcasting and spectrum allotment. President Bill Clinton signed it into law. However, the code was riddled with controversies, with the major one being under Title 3, also referred to as Cable Services, which permitted media cross-ownership. According to the provisions of this law, the Federal Communications Commission (FCC) mainly aimed at allowing every individual to get into the communications business as well as facilitating communications businesses to compete against each other in any market. The primary objective of the legislation, according to the FCC, was to deregulate the convergence of broadcasting and telecommunications markets. However, the law has been under questioning and scrutiny regarding the impacts of the dualistic re-regulation of the communications market (Furchtgott-Roth, 2006).

Earlier, the Communications Act of 1934, also termed the 1934 Act, acted as the statutory framework and structure for America's communications policy and covered broadcasting and telecommunications. The FCC was established by the 1934 Act as an agency formulated to facilitate the implementation and administration of the economic regulation of the internal functions regarding telephone monopolies and to license the spectrum used in broadcasting, among other purposes. The Act tasked the states with the duty of regulating interstate telephone services (Lehman & Weisman, 2000).

In the 1970s and 1980s, the nation witnessed a combination of court rulings, technological advancement as well as changes in the United States policy, which necessitated competitive entry into some broadcast and telecommunications markets. In this regard, the Telecommunications Act of 1996 was structured and formed in a way that would allow only a few but larger organizations to function and run more media enterprises within a given sector, such as is the case with the radio dominance by Clear Channel. It also facilitated the expansion across media factions by relaxing the requirements for cross-ownership. These moves led to a massive and historical consolidation and strengthening of media and telecommunications in America. The changes made almost led to a near-total rollback of the New Deal market regulation (Furchtgott-Roth, 2006).

According to the outline of the Telecommunications Act of 1996, their stated objective was to ensure the opening up of markets to competition and rivalry through the removal of regulatory restrictions on entry. According to the reports issued at the conference, they referred to the legislation as a de-regulatory national legislation framework formulated to accelerate the private field deployment of advanced communication technologies and services to all American citizens through the opening up of all telecommunication and other related markets to competition tremendously (Wiley & Wadlow, 1996).

Another key factor that led to the formulation of the 1996 Act was to enable the FCC to execute the preemption of local or state legal needs, which were a barrier to entry into the interstate or intrastate telecommunications service provisions. There was also the need for interconnection. This was after the assessment of the communication services as networking fundamental and which would result in

positive externalities and effects. However, new entrants into the arena were faced with entry challenges in case they failed to interconnect their networks with those of the incumbent carriers. This, therefore, set another critical provision that led to the enacting of the Telecommunications Act of 1996 as it would be able to come up with the obligations and requirements of the incumbent carriers as well as new entrants to make interconnections of their networks with one another. This imposed more demands on the incumbents since it would be of their desire to limit competitive joining of the market through denial of such interconnections or through the setting up of terms, rates, and conditions, which would further undermine the entry of newbies, which would result to lowered competitions (Wiley & Wadlow, 1996).

There was also the need for intercarrier compensation. Under these presets, there would be numerous calls arising between parties on differing networks. While it could be possible to have the calling entity compensate its carrier and the calling body pay its carrier, for a variety of reasons, it has been a culture in America for the calling corporation to compensate the called entity's carrier for the completion of the call. This is typically referred to as the intercarrier compensation which in turn helps in the recovery of expenses in the charges made to its transcribers. The Telecommunications Act of 1996 also required the intercarrier compensation charges among the rival local exchange carriers (CLECs) to be by the additional expenses of terminating such calls. The framework and structure designed by the 1996 Act, however, came up with differing intercarrier compensation charges for the services that were not in competition at that period but are in the game currently (Lehman & Weisman, 2000).

There was also the accessibility of incumbents' networks by the wholesalers. To permit the joining of new entrants and give them enough time to thoroughly establish their own networks, the incumbent local exchange carriers were required by the Act to facilitate available entrants at cost-based wholesale charges, those factors of their system to which those joining needed access in order to curb impairment in their capabilities to provide the telecommunications services (Lehman & Weisman, 2000).

Lastly, there was the need to make the universal service support explicit. Before the enactment of the 1996 Act, implicit subsidies were used to fund global services. These were levied as above-cost business charges, urban costs as well and the above-cost charges for the access charges paid by long-distance carriers in the form of intercarrier compensations to local telephone corporations from the origin to the termination of their long-distance calls transcribers. With the realization that the new entrants would go for the services that enjoyed above-cost charges, which would erode the universal service support, there was the inclusion of a provision in the Telecommunications Act of 1996 by Congress that would require widespread service support to be explicit instead of the hidden in the above-cost charges. Up-to-date, the requirement has been implemented partially which therefore means that most of the implicit universal services subsidies are still in the category of the above-cost fees for various services (Furchtgott-Roth, 2006).

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