

EDITOR'S NOTE

Welcome to the second issue of Volume 55 of the *Federal Communications Law Journal*. This issue presents a diversity of topics that we hope educates and opens the door for debate among our readership.

In our first Article, Robert Cannon reviews the history of the FCC's Computer Inquiries, and how they have repeatedly reexamined and redefined the nature of the regulatory treatment of computer networks over communications networks. In the second Article, Rob Frieden assesses the viability of different vertical regulatory regimes in an increasingly convergent environment, concluding that a horizontal regulatory structure is a more intelligent model for a convergent, and increasingly Internet-dominated, marketplace. Our third Article, by William Malone, responds to Christopher Day's "The Concrete Barrier at the End of the Information Superhighway: Why Lack of Local Rights-of-Way Access Is Killing Competitive Local Exchange," published in last year's *Journal*. Malone argues that Day's article lacks persuasive evidence that CLECs are harmed by lack of rights-of-way access.

Issue Two also features three student-written notes. The first, by Anastasia Bednarski, discusses the regulation of the radio industry after the 1996 Telecommunications Act, showing an excessive adherence to the marketplace model. Next, Jacob T. Rigney explores broadcast indecency and obscenity laws, focusing his analysis on the FCC's 2001 Industry Guidance Report on the Commission's case law interpreting 18 U.S.C. § 1464 and the enforcement policies regarding broadcast indecency. This Note contains explicit language and harsh descriptive language necessary to illustrate the Author's argument. Our final Note by Matthew Parker Voors tackles the balance between encryption regulation and national security in a post-9/11 world.

The issue closes with Anuj C. Desai's review of Alexander Tsesis's *Destructive Messages: How Hate Speech Paves the Way for Harmful Social Movements*.

The editorial board would like to thank all the authors for their contributions. We are committed to providing our readers with broad

coverage of timely and important communications issues, and we appreciate the continued support of contributors and readers alike.

Volume 55 marks the tenth volume of the *Journal* co-published at Indiana University School of Law—Bloomington. To commemorate this tenth anniversary, we will celebrate this month at the Law School with a speaker series exploring “The Intersection of Communications and the Law.” The editorial board of the *Journal* will host four events that will address different facets of communications law: intellectual property issues in new communications media, current FCC telecommunications regulatory issues, media access to executions, and the representation of broadcasters and entertainers.

The *Journal* staff is looking forward to the publication of Issue 3, which will revisit former Federal Communications Commission Chairman Newton Minow’s “Vast Wasteland” speech, on the 40th anniversary of the end of his service as Chairman of the FCC. Two dozen prominent attorneys, public officials, industry leaders, public interest advocates, and academics join us in examining the state of video programming more than four decades after his celebrated speech.

As always, we actively welcome your comments and submissions. The *Journal* can be contacted at Indiana University School of Law—Bloomington, 211 South Indiana Avenue, Bloomington, Indiana 47405; telephone (812) 855-5952; facsimile (812) 855-5871; and e-mail fcj@indiana.edu.

Deborah J. Salons
Editor-in-Chief