

Shirley Rooker: Could we take our chairs, please? Would you please take your chairs? Thank you. Would you please take your chairs? Okay. Would weXif we could get a little order in the classroom. The teacher's going to have to come in here. I've lost control. It's terrible. Is my mic on? There's no excuse for them because they hear me but they're just not behaving. They know my bark's worse than my bite, that's the problem. All right, folks, we've got a lot of work to do between now and 4:30. I suppose this is a good sign that you've enjoyed yourself anyway. I'm Shirley Rooker. We were coming back to order here. The one committee that was meeting in this room, the access by people with disabilities committee, has asked to go last because they are caucusing away from us right at the moment, putting together their priorities list. So, for the other two of you, the consumer protection and the affordable accessible available telecommunications groups, subgroups, we will haveXScott is going to say something. Excuse me.

Scott Marshall: I'm sorry. I'm sorry. Just a housekeeping matter—if you need a cab we're endeavoring to call them and sort of help coordinate that a bit. You can walk up to Independence Avenue and find one or we will try to call a cab for you. If you could see Betty, and Betty, could you identify yourself? She will try to help in whatever way she can. We already know that Lila needs a cab and Judy. All right. Very good. Thank you.

Shirley Rooker: Does someone want to share a cab to Dulles airport? Lila is looking for people to share a cab for herXshe's got Judy. If anybody else wants to participate in that cab, they're going to be leaving at what time? Four o'clock. Four o'clock. Okay. Now, the two subcommittees that have just met, Micaela, are you one of the--she is one of the chairs. And who else? Ken McEldowney and who's the other?XAndrea. The three of you, who wants to go first? Andrea Williams.

Scott Marshall: We have a hand-held mic for you, Andrea, if it will help.

Andrea Williams: First of all, I want to thank Paul Schroeder to agree to co-chair this committee with me and also thank our members of our subcommittee who did a really good job I think in terms of brainstorming in terms of some of the issues that we would like to focus on. What we did first in the subcommittee is to look at some of the areas where the FCC had given us some examples of issues that we may want to look at and we had a lot of discussion in terms of service to unserved or underserved populations, also local service to rural areas, universal service, broadband, digital television cable satellite, low power FM, the lifeline, link up programs and convergence issues. And essentially what we did was sort of prioritized what we felt the issuesXsome of the issuesXand as we all know in our subcommittee, this is a work in progress. This is just really to get us started in terms of some of the issues we feel that are very important and what we can provide and advise as a subcommittee in terms of advice that we can provide to the Federal Communications Commission in terms of these particular issues. One of the areas was--first we talked about was service. Specifically looking at bilingual, English as a second language, in terms of education and access to these services. As one of our subcommittee members pointed out to us, that many of the services, telecommunications services that Hispanic community in particular as she explained to us are not aware of the type of services, telephone services that are available because they are not in bilingualXor they're not in Spanish and helping them to understand not only what the services are but getting access to those services. Another

issue which had a lot of discussion was broadband and Internet access and looking at affordability in terms of economic affordability and also access to services from a technical aspect. And one of the last issues that we discussed in terms of service is convergence. We know that with cable and digital technology, with wireless 3G services that what we call telecommunications and telephone service today will not look like that probably in 5 to 10 years and that perhaps we need to have the Commission start thinking about instead of regulating these services along traditional wireless, common carrier, cable, but looking at this in terms of convergence and how they can address those issues in a timely manner. We know that as technology fans out one of the problems in the marketplace that many of the service providers have is the FCC being able to react as quickly as possible in terms of technology. And there always seems to be this lag between the time that companies are trying to come to market with services and products for consumers and how quickly the FCC can react. And perhaps by redefining the FCC in terms of these convergence issues, that these issues can be addressed more quickly in a timely manner so we can get services to consumers. We also talked about areas where there are barriers, specifically rural areas and underserved urban areas. In rural areas we specifically spent a lot of time talking about tribal lands, particularly as Vernon said, we're the ruralest of rural areas, and bringing services to those areas. Also, some of the barriers are disability and technology. I'm not sure Paul, I think you were talking about that, disability and technology. What were we trying to address in terms of those, a barrier?

Paul Schroeder: Yeah, I think this is Paul Schroeder, I think we were looking at I think they were decoupled actually, so there's a whole series of disability issues and somebody brought up the fact that they're under accessibility under access there are a series of technical and technological issues, some of which are accessibility but some other, compatibility came up.

Andrea Williams: Right, compatibility. And then there was another barrier that was brought up in terms of private carriers having to compete with government networks. This is in reference to particularly with local exchange companies as they are trying to bring competition to local exchange markets, that some government local governments are looking at providing telephone service and the barriers that provide or the lack of incentive it provides to private carriers to enter into that market in terms of offering competitive services, particularly if the government networks will be subsidized where the private carriers' network will not be. We also talked about opportunities that we would like to see. One is compatibility and market-driven standards. This is particularly important as we move in terms of technology and being the the FCC being involved in the standard setting process. Another opportunity that we would like to look at is the use of low power FM and radio and TV for schools in terms of use for educational purposes. Number four, one of the things that we talked about was finding this balance between regulation, the FCC providing appropriate incentives and also competition as a way to make sure that services come to underserved and unserved areas. And what we're looking at and the basis for this was, as I pointed out, we're looking at an administration and a Commission that is very deregulatory and also looking at allowing competition to resolve some of these issues. But as Chairman Powell mentioned this morning, there are some areas where competition, he's quite well aware, will not be able to resolve those issues. So when should the FCC step in, in terms of regulation? When should they provide incentives to corporate America to provide service and technology to underserved or unserved areas? We also looked to some of the issues that under regulation, incentives and competition, universal service, tribal sovereignty, and also spectrum management.

And finally, one of the issues that we want to look at is also delivery of services. Again, this public versus private, sort of piggybacking on one of these barriers in terms of private carriers having to compete with public networks, the government networks. Also the lifeline and link-up programs in terms of not only education but also enforcement. So as you can see we're going toXwe have a very busy agenda for our subcommittee and I look forward to working with all my subcommittee members. And that's all I have for now. Any questions in terms ofXPaul?

Paul Schroeder: The only thing I wanted to addXthis is Paul SchroederXone of the themes that was echoed quite a bit in our group was the need for more information. We were tackling things like universal service policy and what makes an eligible carrier and why are the cost mechanisms as they are. Andrea just mentioned lifeline. We also talked some about broadband studies that the FCC is doing. But one of theXthe thing that emerged quite clearly is there's a definite need for information in this group that goes quite a bit beyond the kinds of summaries that are in the fact sheets that the CIB has done, but that aren't quite as detailed perhaps as wading through reports and orders, good Lord, on universal service for example. And so I think it would be helpful either at the subcommittee level or possibly even at the committee level to help us work through some of these kinds of issues that are very contentious, that are very consumer focused like universal service. I mean, that's one that leaps to mind because it embraces so much of these issues. And help us understand the FCC role, help us understand the why, the way things are, and what our role might be in trying to articulate the consumer and industry viewpoints on these issues because obviously you've got a mechanism here to gather those, but I think this advisory committee gives you something that you need also which is a chance for dialogue to occur and to flush out some of these things. So I would just encourage us to think about ways in which we can get some specific summaries and helpful guidance from the FCC on some of these contentious policy matters toXso that we can provide you better input back.

Margaret Egger: I'd like to respond to that. What would be most helpful? Because obviously weXthe Common Carrier Bureau has a whole division that's geared towards doing the universal service fund in variousXits various incarnations, and there are, that do exist at this point, slide presentations that sort of explain it, definitely in more detail than the universal service fact sheet that CIB gives out. We could also get someone from the division to do a tutorial, whether that should be over the Internet or at a subcommittee meeting. I mean, we'd love to get that kind of information to you and I don't think it would be that difficult.

Shirley Rooker: Kathleen.

Kathleen O'Reilly: The person who's on that Board is Martha who's the utility consumer advocate for the state of Missouri and she has to regularly in consumer lingo, describe what they've been doing and kind of address the fundamental issues that you're raising and she comes to Washington on a pretty regular basis. So she might beXin combination with somebody from the Common Carrier Bureau, I can't volunteer her, but knowing her as I do I believe she would be delighted on an availability basis to be on an Internet conference call or whatever with your committee. Because she is the consumer representative on universal serviceXhas been from day one, and has to deal with in effect, such things as public policy decisions that you are discussing.

Shirley Rooker: Okay. Thank you very much. Let's move on to another subcommittee. Who wants to go first? Ken. Okay. Ken McEldowney.

Ken McEldowney: Thanks, Shirley. We sort of were sort of started off with sort of consensus on one key area, I think, and that was that we wanted to make sure that the that the advisory committee as a whole had interaction with the commissioners. I guess one of the things we're going to be recommending back is: one, that there be hopefully an annual meeting with the commissioners that would be interactive in nature. And that we would also hope that there would be that there would be a response back from the Commission to the recommendations that the committee comes up with and that and that the response would be in writing. We sort of recognize that this is something we can sort of ask for but we felt that given our experience with the sort of a wide range of sort of other advisory committees that having that kind of commitment on the part of the Commission I think would be very important for the committee and for the—I think for the important work that we want to do. We sort of divided our work into sort of three different areas. One was sort of looking at internal, you know, CIB and FCC. Two was on consumer protection and three was on education. And I think the first sort of looking at internal that we were quite concerned at the sort of the level of staffing and money that's going to the CIB, which probably does not come to any surprise from people inside the CIB. I raised the idea of bake sales but did not get much of a response. I think that there--we sort of identified some areas where there was concerns that we had where we wanted sort of more information coming back from the CIB, from the Common Carrier Bureau, from the FCC to get a better sense of sort of the terms of what is exactly happening inside. One was the area of complaint processing in terms of how--how quickly that's going. Is there a backlog? We wanted to have a little bit more information in terms of what was being done in terms of it being able to handle complaints in languages other than English and also wanted information just in terms of what type of outreach is being done by the Commission in terms of getting--making sure the complaints were coming in through a very broad spectrum of the population, including the sort of the hard-to-reach folks. In terms of the fact sheets that the Commission does, I think we were quite pleased to see the numbers that were available. I think what we wanted was sort of more information sort of in terms of what languages they were available in, what the distribution plan was, sort of how was that information sort of getting out to consumers. Connected to that I guess was that, you know, again in terms of the, you know, initial sort of report for this morning, we were concerned about the fact that the CIB is sort of limited in terms of the outreach that it can do. And we want to get more information on that because we think that was very important in terms of communicating out to consumers exactly what the FCC is, what it does, how it protects you, and shared rights and responsibilities of consumers. Connected with that I think is that the belief that there probably needs to be—there probably already is, but I guess we'd like to know more sort of what sort of communication plan is in effect at the CIB We felt that there were a lot of educational new materials and information that was available, certainly just around the table where we were meeting, and probably around this table as well, as well as other sources. We thought it would be very important to sort of identify what sort of education materials there are available, not just from the commission but elsewhere, what additional is needed and sort of what can be done in sort of linking that up. In terms of enforcement, we also wanted to emphasize I guess again an area where we wanted a little bit more information, we thought that it was very important for the—be sort of a partnership between the FCC and other Federal agencies and state governments on several wide range of enforcement issues. Joint actions sort of being

economies of scale on being able to really sort of marshal resources in a way that's not really possible if you just work by yourself. In terms of consumer protection and consumer education, there were sort of, you know—sort of an overreaching thing sort of on both of these. And that was that we felt that if there was very extensive consumer education and also consumer protection going on, that it would be a real aid to the marketplace in the sense that it would really foster fair competition and particularly as more and more folks are working from home and having to rely on voice grade DSL and other advanced communication services there would also be sort of important in terms of economic development. In terms of consumer protection, I think one of the things we wanted was sort of--excuse me--progress reports back from the FCC in areas where regulations have already been put in place. Truth in advertising, slamming, truth in billing, and cramming. Just to see where things are at, whether or not complaint levels have gone down, just a sense of progress report in those areas. There was another broad area which we sort of lumped together sort of a service quality health and safety and then motherhood and apple pie. But really, service quality, help, and safety. And I think there—there were a number of different areas that we were looking at. And one was certainly service quality, outages, particularly as reflected to 911, E-911 and TTY's and also just in terms of advanced services, looking at service qualities, you know, in terms of outages, how quickly things were being installed and also sort of competitive issues in terms of DSL providers that are sort of competing with the local phone companies. We also want to look at preventable outages in terms of areas in which the phone companies have not put enough investments in place to protect against outages from floods and things like that. There was--a lot of emphasis on privacy issues. Again, recognizing this would be one of those areas where there would be sort of a partnership between different agencies working on the issue. Connected to that was telemarketing abuses and also predictive dialing. We also sort of looked at some access issues and I think this will probably be in the area where we will work with the subcommittee that just reported, concerned here in terms of advanced telecommunications services, also portable voice grade services, and concerned about the declining number of pay phones, particularly in rural areas and poor urban areas. There were some pricing issues that we wanted to look at. One was everything from directory assistance, where often--there have been a lot of complaints in terms of inaccurate numbers being given out and also the sharp increases recently in prices for DA. Prepaid cards in terms of issues around disclosure of prices. Consumer abuse, the lack of bonding, the lack of either strong oversight by either the FCC, or states in most cases in terms of this. Calling card issues came up primarily in the area of new higher charges that were not adequately disclosed to consumers. And again, sort of related to the detariffing issue, the concern that the communications that are going out from the phone companies sort of disclose everything except prices, and in some cases have been sticking new conditions in, like a mandatory arbitration. In terms of education, again, we thought that education was sort of key to consumer protection, was key to actual enforcement of the laws that are in place in the sense that people don't know what laws and regulations are protecting them, there's little that they can do to complain to know that they've been wronged. Here there was sort of a wide area, some of this related back to some of the things that we said already in terms of sort of—sort of internal FCC educational stuff. But some of the areas where folks thought there need to be more information, more education, was filing a complaint with the FCC, what are the expectations and things like that. Confusion that the consumers have around taxes and surcharges that are on the bill. The whole area that while there can be--theoretically there can be no disconnect for other than nonpayment of basic service, that there's sort of a lack of knowledge about this and concerns that it's going to be the same type of information as it was

with 900 charges in the past where people ended up being disconnected because they didn't know their rights or paying bills that they did not need to pay. There was a real sense that there needed to be much better idea sort of in terms of what people's concerns--what concerns people had in terms of telecommunications and the belief that probably differed a lot in terms of age, language, whether or not a person had a disability. It's important to sort of identify holes. And again, talking about a need for a communication plan, a need of coordination between both governmental agencies like the FCC, government--companies and also private organizations. There's probably something I left out that other members of the subcommittee can sort of chime in right now. I guess people are tired.

Shirley Rooker: You did do a good job. We're all doing good jobs here today. And if we have no other comments on that, we'll go to Micaela Tucker.

Micaela Tucker: First I want to say thanks for letting us go last. We were able to get everything in order. As you can probably imagine when the group for access for people with disabilities got together, we had many, many issues that are near and dear to each of our hearts. So we have not been able to prioritize but I'm going to summarize with the permission of my group, what--pretty much what we've got. I think what came out as probably the hottest issue was going back to some of the regulations that specifically affect people with disabilities, 255, 508 being some of them, making an honest appraisal of really where we are at this point and not--doing not in an informal way, but rather doing it in a much more formal way and really--really taking to task some of the issues that many of the members feel haven't been addressed. I know Brenda Battat brought up hearing aid compatibility as one of those. Also, hand in hand with that, going back to those regulations and better defining what some of those issues mean, specifically Judith Viera brought up functional equivalent and what that means, what that means to consumers versus what it means to the FCC I think we need to reexamine that, I think we agree. So, going back not only to that specific definition but other definition as well and spending a considerable amount of time on that. Then we looked at current services and I'm putting under this not only basic voice services which we agreed needed to be reexamined, there's still some basic voice services that people don't have access to because they either don't have the ability to do interactive menus with voice mail and voice services or because they aren't able to hear well enough to use some of those services. So specifically how do you have better access to those through multi-modes? Also, we did mention the fact that when voice over Internet protocol becomes a reality that the FCC, as difficult as it may be, may have to take that issue up and that was brought up by the committee as well. And part of that was also funding for multi-modal services, so although a lot of the funding now goes strictly through the common carrier, that that's not always the best way for some businesses and companies to operate so they're reluctant sometimes to provide this multi-modal service because they don't get reimbursed. Then we looked at education and I think we overlapped with the committee that just--the consumer protection and education committee which of course education, gosh, that makes sense. We were talking about exactly the issue that you brought up, Ken, that some people don't understand the complaints process, they don't know that they can complain, they don't know what they can complain about, so education on that as well as outreach from services. Specifically we talked about relay, education to people who can use relay that that service is out there, what it means. And then we talked about what I call legacy technology or existing technologies. We talked about the fact that pay phones are disappearing because some companies feel that they're no

longer profitable. However, there is a large population that would be disenfranchised were pay phones to go away from many of the places where they are because sometimes they are the only communications devices that are accessible to some people maybe because of hearing aid incompatibility or because of economic disadvantage. And also that there needed to be some examination of FM allocation--permanent FM allocation for video--did we say video description? Visual description services and also hearing assistive technology that right now that allocation jumps around and that as long as it's jumping around there's always the danger that that might go away permanently. Then we moved to emerging technologies, Bluetooth was an issue that came up all by itself. The issue of short range radio transmission from device to device and how that will affect people who--who need accessibility considerations. Also new product testing with better confidentiality. There's part of Section 255 encourages companies to do testing before products are launched but actually manufacturers know and have said that before a product launch is not the time to be doing the testing because the product can't be effective at that point. It's really three to five years before the product comes on the market that testing needs to happen. But that it's very difficult to get those things tested, even with non disclosure agreements, because at that point when specifications are being frozen, even many people in the company don't know about the product, it's that confidential, so how can companies be encouraged to do that kind of testing and be ensured that their competitive confidentiality will be protected. Then we also talked about working to find common ground between equipment manufacturers and that includes assistive technology companies, to define standards that find solutions, not only for legacy technology but also that anticipate new technology so that people with disabilities can get the best of the future technologies, not just sort of fulfilling compliance by having to settle with old technologies. I guess that also feeds--that kind of feeds right back into the first issue I talked about, needing to look at Internet voice access and I think that's it. Is there--are there are any other issues that my committee wants to chime in with? Larry.

Larry Goldberg: In addition to the voice over Internet was also other media over the Internet--video and audio.

Micaela Tucker: Yes. I think that's it from our committee. We have already identified several subcommittees that will need to be formed and will be continuing our conversation over the Internet through the listserv to define priorities and new subcommittees.

Shirley Rooker: Okay. Shirley Rooker here.

Karen Peltz Strauss: You said that you have already identified subcommittees, can you share Any information about that?

Micaela Tucker: There are a couple of--of course we have not totally reached consensus on this yet. But it looks like there is probably a committee being formed that--that will be formed specifically going back to look at the regulations and definitions progress on 255 and 508 and how to have better definition that both consumers and the FCC agree on. It looks like there are some issues with relay that could probably have a subcommittee. And probably there's an education subcommittee that could be formed.

Larry Goldberg: There is also, I suggest--this is Larry Goldberg, I suggest a liaison with the Technology Advisory Committee that the FCC has as well and their subcommittee on disability issues. And Judith Harkins volunteered to liaison with Gregg Vanderheiden on that.

Shirley Rooker: Okay. What I was going to do is give you the schedule with the rest of the afternoon. We're going to have open mics with our public members, members of the public who are attending today, and then we are going to come back to the subcommittee members for comments and wrap-up. So, is that still our schedule? That's still our schedule. Okay. We have a--the calendars, we need to talk about calendars, is that what we're talking about? Make sure that everyone has turned in their calendars, the dates that you're not available for our future meetings. Also a master list, the address lists. Is that still coming around? I think I gave that to you, Scott. Is that the email address? Yes, you have that, I think that—I will check it out. Well, the authorization list and there's another list. Is there? Okay. Does anyone—that's got the emails on it. Okay. I think—Bob?

Robert Chrostowski: The alternate list.

Shirley Rooker: We will put out, I guess, a list of the alternates, there are not that many here. If any of you decide that you're going to appoint an alternate, you really need to let us know so that we can make sure that they're listed and that they're on the email list and everything else. So, that's what you're talking about, Bob, right? Now, we do have a handheld microphone. Yes--we do--yeah, Ken? No, Ken, you're not confused, are you?

Ken McEldowney: Yes. The whole corner is confused. Were there one or two lists that were going around? The one that we remember was the one that had the authorization to post the bio, and the subcommittee email. Was there a second list also?

Shirley Rooker: There's another one. Scott says there is another list. Does someone else have the other list?

Ken McEldowney: No one's seen it.

Karen Peltz Strauss: I don't think it's here.

Shirley Rooker: We'll sort that out.

Karen Peltz Strauss: Oh, I--okay. Wait a second. I do have something here.

Shirley Rooker: Oh, oh. Karen's got the list. We'll have to blame Karen.

Karen Peltz Strauss: There's a member authorization list.

Shirley Rooker: We've got that.

Karen Peltz Strauss: Which is done. And then that's it. That's all that I have right here.

Scott Marshall: Hmmm.

Margaret Egger: There's a mailing list in the folders.

Scott Marshall: Yes, exactly.

Margaret Egger: Do you want me to send one around?

Scott Marshall: Sure.

Margaret Egger: I have one here. I'll put "master" on it. If there is a problem with yours, I'll send it this way, to my right. Just please correct it and it will come back to me and everything will be fine.

Shirley Rooker: Okay.

Karen Peltz Strauss: It stopped with Laura and it never went around.

Margaret Egger: Okay, so we are going to send it this way--it's going to be fine.

Karen Peltz Strauss: So, it's now going around now.

Scott Marshall: Thanks, Laura. I'm not crazy after all.

Shirley Rooker: Okay, just leave that ...

Karen Peltz Strauss: Did you just send another one?

Scott Marshall: Yes.

Margaret Egger: Hold that one. Don't do this one. Just do the one that what says; "master" on top of it written here. It's going this way.

Shirley Rooker: We don't want Ken's confusion to spread, please. Now, for the members of the public who are attending the hearing today, this is an open hearing, we're delighted to have you here, we welcome your comments. We may not be able to get to all of you today. If we don't, Scott will have telephone, email and mailing addresses for you that you can communicate your interests and concerns, so what I would like to say is that we have a hand-held microphone. Who has the microphone? Arlene has the microphone so the public members now—we will have committee members commenting a little bit later. But If we have comments from the public, please hold your hand up and wait for the microphone and identify yourself and we do have someone in the right-hand corner who has a hand up. All right. Let's start with this comment. Thank you.

Roberta Breeden: Roberta Breeden, Telecommunications Industry Associate alternate. In listening to the comments by the subcommittees, the first subcommittee on accessible and

available communications products and services, for those folks intimately involved with consumer premises equipment, you're also intimately aware of part 68, a portion of 47th C.F.R., and for those of you not following this, there was a comment on market driven standards and the opportunities for product. I just want to bring part 68 up for those folks that are not aware of it, in December of last year the commission issued a notice of--I'm clutching here.

Margaret Egler: Report and Order.

Roberta Breeden: Thank you. No, no, no. Actually that—Report and Order, there you go. It's the end of the day, I'm in vapor lock here. A Report and Order that changed the Part 68 which had previously been overseen by the FCC privatizing it. For those folks who--for whom part 68 is alien, back in the divestiture when the FCC started permitting other devices to be attached to the network, part 68 was created in 1972 to protect -- to protect the network from harms to the network and also to open the opportunities for consumers to have a better range of choices or wider range of choices to products that can be attached to the network. This served its purpose so well that the industry became very robust and that the part 68 actually became an impediment to getting new product into the market. Well, the FCC, recognizing that, worked with the industry over the last two years and the result is privatization of part 68. The reason I bring this up as an example to the folks on this committee, if you would like--and this has just started--the result of this was a new entity called ACTA, which is the Administrative Council for Terminal Attachments. It's in its formative process right now. TIA and ATIS are the co-sponsors for this new entity. It has yet to hold its first meeting, which for those of you in the Washington, D.C., area who are interested in attending the meeting is 2 May, the second of May. It's in Bethesda. If you want more information on this, and to see how this process is evolving and maybe can be adapted to some other areas of concern for this committee, I invite you to go to ATIS' website or TIA's website. TIA's tiaonline.org or atis.org. If you look there, you will find information on ACTA, so this addresses the issue of market-driven standards and consumer premises equipment which is--is a concern to this committee, and it also—ACTA has a position on there for consumer interest, so, please, if you are interested, I invite you to--to look at that and gather information in that area that what has happened with part 68 may be something that can be applied somewhere else.

Shirley Rooker: Thank you. Thank you very much. Does anyone have any comments or questions on that? Okay. Do we have questions or comments from other public members? You all are a quiet group today. My goodness. It is late in the day. Maybe we all need coffee. All right. Well, thank you. We do--we did invite comments from the Internet. Scott, I believe, has one, which is very lengthy. I don't know--

Scott Marshall: I have two.

Shirley Rooker: You have two. Do you want to deal with those? Okay. I'll turn this over to Scott Marshall.

Scott Marshall: Hi. This is Scott again. We invite comments to the committee through any number of means, the Internet, mail, or by phone. We have received two comments today. One from Surf Technologies in California regarding E-911 issues. It's an extensive set of comments

and we will share those with the appropriate subcommittees, and we also received one other comment from an individual regarding access to interactive voice response systems, and, Karen, did you want to comment on that?

Karen Peltz Strauss: I have it. The second comment is from Leo Lapointe on interactive voice response systems, and his concerns--he is trying to ascertain which agency, if any, has the authority concerning end-users of telecommunications services. As you all know, the interactive response systems with the response systems that ask individuals to respond to menu choices, and he says that the systems are extremely difficult for hard of hearing and others and refers in his email to an FCC notice that we had put out last year that reminded manufacturers of the systems of the need to make them accessible under section 255. His concern is that the notice had little, if any media exposure, and that it failed to include the end-users of these products. So, for example, the transportation systems, the educational institutions, the government offices, the businesses that use these, he says that it is the end-users who will determine how the messages come out of the pipe, and he has written letters to the FCC to include the end-users in an educational effort to have the end-users make their messages more user-friendly. I'm just going to take this opportunity to comment on this to let you know--take advantage of the fact that you're all here, to let you know that right before the last administration left, a letter was sent by then Chairman Kennard to Attorney General Justice Reno—Attorney General Reno, and what that letter asked was to what extent is—clarification, really, of the extent to which the ADA will require end users, these systems that are covered under the ADA to provide telecommunications access to people who are deaf and hard of hearing where interactive voice response systems are used. There is an answer to that letter, apparently, from--from the Attorney General Reno, and I have yet to see it, unfortunately, because it seems to have gotten lost in the shuffle with the switch of administrations. But there is, in fact, an answer from her, and I know that this is on the Department of Justice's radar screen at this point. I understand that they will be reviewing all ADA regulations in the very near future and if any of you—if this is an issue near and dear to your hearts, you should be aware that you should not only be watching our message board, but the Department of Justice's as well. Hopefully we will locate the answer to our letter and post it on our Disabilities Rights Office web site.

Shirley Rooker: Yes, Bob? Give your name, please.

Robert Chrostowski: Bob Chrostowski. TIA--In November of last year TIA, or should I say the MMTA Division of TIA, did send out a letter to its membership as well as other manufacturers of equipment that would be affected by this section 255, pointing to the FCC requirements regarding this very same matter so that efforts were made to contact visible manufacturers of equipment and notifying them, again, of section 255 requirements.

Karen Peltz Strauss: That is very helpful to know. I don't want to get too much into a one-on-one discussion, but if there's any way that that letter can be shared with this group or with the FCC, we would love to see it, as well as any follow-up accomplishments that occurred as a result of that letter. Because I will tell you that this is a fairly major issue with people with disabilities, as you probably already know, as it's one of the newer technologies that forms considerable barriers to significant populations going beyond deaf and hard of hearing, people who are mobility--have mobility disabilities and vision disabilities and learning disabilities all have

trouble with the interactive voice response system. It is important to know that perhaps our notice did make a difference and that your letter did.

Judy Harkins: Karen?

Karen Peltz Strauss: Yes.

Judy Harkins: Also ATIS—the Alliance for Telecommunication Industry Solutions has announced a forum on this and they're in the process now of communicating with industry about the formation of this forum and it is hoped that it will be beginning in May also, as well as the ACTA forum.

Karen Peltz Strauss: That's very helpful to know. Thank you, Judy.

Susan Palmer: ... (inaudible) public information about products or internal processes if they're not proprietary?

Karen Peltz Strauss: I think that would be helpful.

Susan Palmer: Okay.

Robert Chrostowski: Karen, I will follow up with the committee on that.

Karen Peltz Strauss: Okay. Thank you. Thank you.

Larry Goldberg: Larry Goldberg here. Could you just clarify. I thought it was determined that IVR is covered. Was Chairman Kennard asking for clarification on that?

Karen Peltz Strauss: No. He was asking for clarification--there are two parts to this. IVR is covered by manufacturers, manufacturers are supposed to be making their systems accessible. The other issue is the extent to which end users are permitted to use IVR without other forms of effective communication, so if they're using IVR, should they be seeking out accessible form--there are some accessible forms of IVR, or should they be providing an operator first option so that people can avoid IVR. In other words, what are the obligations of these end users to purchase accessible systems or otherwise make their telephone systems accessible.

Shirley Rooker: Okay. Now we will open up—this is Shirley Rooker. We will open up the floor to comments from you. We've had some comments from you about the process that we've gone through today. I think it would be very appropriate. It is just an open mic and we'd like to hear from committee members. We can sit here and look at each other for 10 or 15 minutes.
Susan Palmer.

Susan Palmer: I think one of the most critical pieces that we came up with in our subcommittee, having to do with the relationship of the committee to the FCC was really critical. In our experience through Pacific Bell's advisory process and SBC, and on and on, one of the things that's really effective is when there is a report or when there are recommendations to get a

response and before a written response comes out, to have dialogue with those who will be responding. I think that helps reinforce the information that's going in, it helps ensure that the communication is being effective because sometimes you say something and someone understands it a little bit differently. So the dialogue helps. It helps generate new ideas and also demonstrates to the general population the commitment to addressing specific issues, in this case consumer issues.

Shirley Rooker: Okay. Thank you, Susan. Other comments? We have—okay. Let's just go around the room. Paul Schroeder.

Paul Schroeder: This is really more in the nature of a question. And that is what our next steps are between now and July? I heard something about the list serve at the subcommittee level, although I don't know how that's being established—if we are supposed to do that ourselves, or if that's going to be supported. And also, much as I like list serves, I also realize that they frequently don't get us all to respond as much as we all think we would like to do that and so face-to-face teleconference or voice-to-voice teleconferences may be something we need to look at. I'm just concerned that we not have now three months of sort of down time and then come back in July and not having been able to move forward at the subcommittee level on some of these activities. I also want to suggest that in doing that, as it was pointed out earlier, there are a number of us who did want to look in on and have some influence in the discussions in some of the other areas, and I was particularly wanting to have some influence on what I thought were some of the discussions that were or were not happening in the disability access committee. So I know probably a bunch of us would fall into that category. So are we going to take some minutes at some point to sort of talk about these next steps, these next few months and how we use them most productively?

Shirley Rooker: We sure are. As a matter of fact, if we can delay that for a minute and talk about any other issues that you have before we go into that because Scott will go over with you how you can communicate and so on. Karen, I believe you have a question, if you have something other than that type of question. Karen Walls.

Karen Walls: This is kind of a—maybe a question that Karen Strauss and Margaret could answer. I know that the FCC especially CIB, has a lot of fact sheets and such. I was wondering, are you allowed to distribute fact sheets written by someone other than you?

Karen Peltz Strauss: Yes and no. We are allowed to work with industry, for example, or consumers and come up with perhaps a joint fact sheet and then we are allowed to work with industry to have industry fund the distribution, and I'll give you an example. The CALLS brochure is one that was actually drafted by the industry, and we reviewed it and--and then they paid for its distribution through the Consumer Information Center. And we are looking--we are going to be looking increasingly at those types of distribution methods in the very near future and I will introduce you to Dan in the back—Dan Rumelt, he's going to be working on this. One of the things that I'm thinking about and I'm really just thinking out loud, is that it probably--it may be productive to have certain people within the agency assigned to each of the subcommittees so that you have a direct liaison. I'm volunteering Dan to maybe work with the Consumer Education subcommittee, and you can explore that further. I don't know whether we

can distribute something that you've completely prepared by yourselves, but we can take what you prepared, and with your permission, rewrite it—plagiarize, if you don't care, and then call it ours, or call it ours and yours and then work with you to distribute it.

Shirley Rooker: Okay.

Karen Walls: Thank you.

Shirley Rooker: Good question. Robert? Rob.

Robert Chrostowski: Shirley, I just wanted to confirm that the priorities of each subcommittee be--not be mixed up in the minutes of the meeting, that there would be separate documents that would list each subcommittee's priorities separately, that they be distributed. That way everybody has right in front of them the activities of each subcommittee.

Shirley Rooker: I don't think that is an issue. I'm sure that we will keep those things separate. Do we have some other questions or comments? Why don't we at this moment—you may think of some other things. Oh, okay. We have a question up here. Bob Segalman?

Bob Segalman: I have an issue that I did not get to raise with the subcommittee and it has to do with speech-to-speech. People who use the service don't—often don't have the activist skills that other relay users may have and they can't address the quality of service that other relay users do and the FCC needs to find a way to protect those groups of consumers with respect to quality assurance.

Shirley Rooker: Thank you very much. Karen is making a note of that to include that, I believe, in our--in the committee report.

Karen Peltz Strauss: Bob, you touched on a very important thing and it's something that we are starting to grapple with as speech-to-speech is now going into effect because, you're right, the speech-to-speech community, or the community of users who use speech-to-speech, are not a cohesive force as are perhaps other groups that use relay services, and this is something that's very near and dear to the heart of the Disabilities Rights Office and is something that I hope that this committee can provide useful advice on how to reach out to the community and how to develop a cohesive force and ensure high quality of speech-to-speech issues.

Shirley Rooker: Okay. Do we have any other questions other than procedures that we want to entertain? Oh, yes, we have a--the microphone's coming.

Julie Rones: Thank you. This is more of a comment more so than a question. On behalf of USTA, first of all I want to thank all of you here today, especially the FCC for convening this forum. In particular I just really wanted to share with you some of the things that USTA is doing with respect to the disability issues because I think it's very important that it be understood that one of the things USTA does on behalf of members is provide technical expertise. USTA has what's called an NSAC committee that looks at network services matters and our engineers from the various companies, 30 of them in particular, went to the Trace Center at the University of

Wisconsin and took a course that is taught by Gregg Vanderheiden and Jim Tobias. They took that course in November and it was truly a marvelous course to help us understand what the needs of the disability community are. So we're looking at ways in which the network is impacted and the--USTA is active on the technical committee under the FCC that there was a reference to that Gregg Vanderheiden leads that committee, so we are active and I just wanted to kind of let you know in that regard that we are active in that—on those issues.

Shirley Rooker: Thank you very much for your comments. I would like to ask our attendees by telephone, Judy, Rich, and Jim, if you three are still with us, do you have any questions or comments for us?

Judy Harkins: I don't. I think I may be the only one on at this point.

Richard Ellis: No. I'm still on. I don't have any comments either.

Judy Harkins: Oh, I'm sorry. Sorry, Rich.

Shirley Rooker: Any comments or questions from the two of you?

Richard Ellis: No.

Shirley Rooker: No? Okay. Rich, enjoy Palm Springs. Judy, wherever you are--

?: Arizona.

Shirley Rooker: Arizona, oh my goodness. These people are in warm weather. Rayna Aylward has a comment, I believe.

Rayna Aylward: Actually this is more of a question that kept running through my mind. We've been talking some, consumers being the focus of all our efforts here, and all of the changing demographics. I'm just wondering where in the Commission is the--are the results of the latest survey being looked at and evaluated and then kind of integrated into the work that you're doing in terms of outreach and assessment of consumer needs?

Margaret Egglar: The latest survey—we have the census

Rayna Aylward: Census. Did I say survey? Census, I'm sorry. The census of 2000.

Margaret Egglar: Well, the census is something that is looked at--that is required to be looked at in a lot of different scenarios when it's in the broadcast arena. It's also something they look at when they do the 706 Report, the Advance Services Report that's done every year, and it's also something that the Common Carrier Bureau looks at, so it's something that the Commission has to look at and I think that we are basically--the last I spoke to anyone about it, it was three or four weeks ago, before the real detailed thing came out, which I think just came out two weeks ago, so it's something that everyone in the Commission has to look at under our different regulations for various reasons, so it's currently—currently being digested right now.

Shirley Rooker: Okay. Thank you. Then if we have no other questions or comments, I will turn it over to Scott, and he will talk about some of the process that we're going to use.

Scott Marshall: Thank you, Shirley. This is Scott Marshall. I hereby declare the next meeting of this committee will be 10 days long based on all of the topics that have been raised here this afternoon. In the ideal world we would love to have the money to be able to support all of your travel here as well as to support face-to-face meetings of subcommittees with all of the accommodations and ancillary services provided. Unfortunately we're not able to do that and thus we have to make some compromises in terms of what kinds of support we can give you to help in your subcommittee work. Here are a few of those—those vehicles. I mentioned earlier today our website, which is active today, thanks to Arlene Alexander, and there you will find many of the publications that have been referred to here today, as well as the committee charter, a list of committee members, with your permission your bios, links to other FCC home pages, and eventually a whole lot more. Secondly, we had established or will establish within a week or so of this date three unmoderated list serves, and we will ask our IS people to enter your email addresses and we'll then send out a test message to make sure that it is operational. I will also be participating in those list serves to help in whatever way I can in the discussions that will flow from these groups. As we've said before, if--if you're not on a particular subcommittee and would like to nevertheless be involved in the list serves for another subcommittee, just let us know and we can make that happen. We also have a limited amount of budget for teleconference calls, I believe it's one per subcommittee between plenary sessions of the committee. And for, I believe, two to three hours in length, together with interpreting services for participants on that call should that be necessary. The--we will be contacting chairs of the committee within the next couple of weeks to try to touch base on--on your reports to make sure we heard you correctly, to ask you to give some thought to prioritizing issues for the next meeting. Clearly all of the issues brought up today can't possibly be addressed in--in the July meeting, but we hope that with your help you can give us some guidance as to what those issues ought to be and we can then, as Margaret suggested earlier, help to secure the Commission resources by way of subject matter experts, and I've never ceased to be amazed at the number and breadth of the subject matter experts around here, to either present at the full committee meeting in July or to be invited in on a teleconference or on one of the list serves for you to ask your questions and--and provide the additional information that you desire. I'm also open to any other ideas that you might have regarding how these groups could communicate and we're certainly always interested in any feedback about this meeting, about our accommodations, our materials, and that sort of thing as well. We really want to make these meetings as productive as possible. We'd be interested, too, if these meetings should be longer, we were trying to be respectful of your schedule and your time commitments as volunteers, so we were a little reluctant to have a longer meeting. Just one moment, please. All right. There's a cab waiting outside for someone. Do we have a name? It's for Lila and Judy. They're already gone. So I guess that's taken care of. Great. If anyone would like to comment, perhaps Margaret, who is our Associate Bureau Chief for policy might want to comment also on ways in which we can help communicate information to you and take information back. She may have some further words to--to say.

Margaret Egger: Well, especially in the area of the subject matter experts, Scott's right. We have a plethora of subject matter experts, we write the rules. So we would be more than happy to coordinate with the different bureaus to get people either a conference call or get a copy of a recent speech or a slide presentation or you know email some questions and they can give you some email answers, because some of this stuff, especially the common carrier stuff can be extremely intricate and hard to understand, you can look at it for 20 years and still not get it, so certainly we would be very happy to accommodate anybody and certainly any of the subcommittees who need any kind of help along those lines.

Larry Goldberg: This is Larry Goldberg. Since Scott asked about a couple of questions, I did want to say that the accommodations today have been quite a model for meetings anywhere and you guys did it exactly right.

Scott Marshall: Thanks very much.

Larry Goldberg: And, on the other hand, the unmoderated list serves, if we could just please beg people not to do a lot of cross posting of announcements and PR and a lot of stuff that junks up our email list, that would be wonderful.

Karen Peltz Strauss: If, since they are unmoderated, we can see how that goes and if it gets out of hand, you may want to appoint people to moderate them.

Scott Marshall: And I will be there also not as a moderator or a monitor, but certainly I'll be aware of the traffic that goes on the listserves, Larry. But that is very good advice because lord knows we all get too many email messages of the not relevant variety.

Shirley Rooker: The confused corner is speaking again. Ken? You started it.

Ken McEldowney: Hey, I'd like to point out that the last time we were confused, we were right.

Scott Marshall: I know. I know. And I hope we addressed it, Ken.

Ken McEldowney: We did. You did.

Scott Marshall: Okay.

Ken McEldowney: I guess I'm a little con-- I'm—I'm a little bothered ...

Scott Marshall: And you may still be right.

Ken McEldowney: I guess I'm a little confused about what we're sort of coming out of this with and sort of what's going to be happening in terms of—I think, I think this first meeting was very good in terms of raising issues, trying to begin to get at priorities and things like that, but I think that in some way or another whether it's with the chairs and the staff or what, I think there needs to be a lot more structure in the July meeting. And it's--I guess part of the con--one of the things

that I want to try to explore I guess is how we want to get to that point. For example, one possibility might be for each of the committee to have--pick one topic for the July meeting. Where then there would be a focus on that one topic with subject matter experts, maybe recommendations coming from the full committee. I'm not sure. I just think it's--I think we have to get down to business pretty quickly. Just another question I had was, certainly out of our committee, it was—we weren't so much concerned with sort of subject matter expertise, at least at this point, but sort of getting more information from, you know, the CIB, and I'm wondering if that's something we can do between the meetings? Is that something that, Karen, you would be responsive to?

Karen Peltz Strauss: I heard you asking about that and I--I guess there's two ways of going about this, as you just said, either responding between the meetings or what I was thinking of is one of the things that we could have at the next meeting is some people from what I call the other side of CIB, and we—Margaret and I are sort of on the policy side, but there's the operational side and I heard a lot about the concerns with respect to how complaints are handled and how to outreach to people with respect to filing complaints and--and what is coming out of the complaints and it may be worth having a couple of people from the operations branch or the Consumer Information Network Division come and talk to you all and see how there can be room for improvement there. The purpose of this meeting—this first meeting, of course, was to get to know each other and to divide up into subcommittees to—and basically to brainstorm and to come up with really just, you know, an enormous list of possible things that we can shoot for. But I agree with you, I think we all do, that we have to be more focused in future meetings. And this is why I would recommend that you all, within your various subcommittees, come up with very discreet projects or discreet goals and objectives that you would like to see done in the near future and propose them to us. Again, I see some immediate things that we can get working on and one is the distribution of additional consumer educational materials, which we talked about before this meeting, but which we can probably do with even more ease with your help. I mean, that's an immediate and finite objective that we—that can be an outgrowth of this committee. Some of the other ones are a little bit more difficult. There were a lot of subject matters raised, and those are going to be more long term. But that's, you know, in part what we want you all to be continuing the discussion on within your various subcommittees, we don't want you to not talk to each other between now and July.

Ken McEldowney: I guess a follow-up, and I'm just again confused in terms of structure and stuff like that, but I think it might be a good idea to have almost like a steering committee that would be Shirley, Scott, whoever else from that side of the table, along with chairs, to sort of maybe have a conference call in a couple of weeks just in terms of beginning to sort of rethrust this meeting, getting some planning for the next meeting and sort of what we want to see happen in between. I just want to make sure we maintain the momentum because I think—I think it would be really important to do.

Shirley Rooker: Ken, I think you are absolutely right and that is one of the things--as Karen said the goal today was really a free flow of information, but you can't work every time you meet with a free flow of information. So the goals are to have you come up with some topics for us, and I think your idea of a discussion between the subcommittee chairs and perhaps some people

here to facilitate that would be very useful and I think Scott has some more comments on doing that. And, Julie, do you have a question?

Julie Carroll: Julie Carroll. I believe, if I remember correctly, the roster that we got prior to this meeting—I don't know what we got today, did not include email addresses.

Shirley Rooker: It will. It will.

Julie Carroll: So we will be getting one of those so we can start communicating. Okay.

Shirley Rooker: Yeah, that's what we were asking for, one of the things we were asking for today was people's email addresses, so that will be available.

Karen Peltz Strauss: It should be—it's in your packet today.

Julie Carroll: Okay.

Scott Marshall: Has the master list.

Karen Peltz Strauss: Okay I seem to have the master list here. Did everybody get a chance to look at this? Yes? Then we have it all.

Scott Marshall: Wonderful. Okay. Hopefully there aren't too many corrections that need to be made on that list.

??: There is one.

Scott Marshall: Oh, really. All right. We keep trying. So we will get out to committee members a revised mailing list, which contains the contact information, phone number, email address. We will not publish that information unless you've told us that it's okay to do that and we will get that out to you just as quickly as we can. Any other comments? Larry--I mean Ken, I mean--yeah, we can do a conference call with the committee chairs and staff and Shirley, if she's available, and willing, that's no problem. I suspect I'll be back in touch with the chairs even before that happens.

Karen Peltz Strauss: I have the calendars in front of me and I only count 30. And by my calculation there should be at least five or six more, understanding that maybe an alternate didn't want to—a couple of alternates did not want to put down what the primary person has. So there should be a couple more.

Scott Marshall: Okay. If you could send that to us then as soon as possible. All right, wonderful.

Karen Peltz Strauss: That's fine. Okay. And we will email you if we haven't gotten it.

Scott Marshall: And we'd like to recycle your name badges, so if you could leave those on one of the tables in the back as you leave. We do have ...

Karen Peltz Strauss: There is a question from David.

Scott Marshall: David?

?: Go ahead, David. Here's the mic.

David Poehlman: As far as I know my calendar is open. I didn't include one.

Karen Peltz Strauss: Okay.

Scott Marshall: Okay. We do have some more copies of the agenda in accessible format and we also have some disk copies of some of the handout material also available should you want that. Any other questions for me?

Julie Rones: Yes, I have one, sir. I'm not sure if I'm on--Julie Rones, USTA. I have a point of information or clarification with respect to your meeting with co-chairs, I would imagine that that would just be regarding procedural matters, that substance will not be discussed with respect to those meetings, so I just wanted to clarify to ensure I guess that that's the understanding?

Scott Marshall: Well, I guess, except to the extent that substance does need to be talked about for preparing an agenda and responding to the wishes of--of the subcommittees, I guess.

Karen Peltz Strauss: I think, Julie, I think if your concern is that any decisions on substance would be made, of course the answer is no. And any decisions on substance are going to have to be decided by the committee as a whole. What may be discussed is perhaps which issues to address at the upcoming meeting.

Julie Rones: Well, I guess that is part of my concern that in terms of industry advisory committees, the whole purpose of the statute to ensure that there is--I guess everything is done on record and that the matters are public and that there is no undue influence because of the access to I guess people who are in your positions as regulators, so that is kind of what I'm really want to ensure that the statute protects against that and to ensure that that is not going to be a possible matter that could occur. Thank you.

Scott Marshall: Julie, we have no intention of violating the statute.

Julie Rones: Oh, I'm not trying to suggest that you are.

Scott Marshall: And we will, of course, as required by the FACA, publish a notice of the next meeting in the Federal Register and am sure that any committee member that wanted to add something to an agenda could do so at the time of the meeting, if something inadvertently had been left off. But we're really hopeful that committee members will be talking to their--their subcommittee chairs during this--during the next few months so that we do get all of that

information in a timely way so that we can make a most productive agenda in--in July. A question from ...

Karen Peltz Strauss: Roger. Do you have a question?

Shirley Rooker: Okay. I just want to reaffirm--Shirley Rooker--what Scott has said, and that is that the initial conversations with the subcommittee chairs will only be for purposes of procedures. We will not be developing the agenda because we're talking about a conversation within the next couple of weeks, but what we will be doing is giving them direction so that they can feel, as Ken had said, he feels that there needs to be more structure, our goal would be to help provide that structure so that the subcommittees can come up with the recommendations for the agendas and I believe that addresses your concern, does it not, Julie? But that's our goal to address the concerns and the feeling that we need more organization, not content, but organization, very different things here. Do we have any more questions or comments? Does everybody want to go home? All right. Yes?

Rayna Aylward: I want to suggest some restaurants around here for people who come in the night before who might want to informally gather and talk about nonsubstantive issues before ...

Shirley Rooker: Ok. Only if you invite the rest of us. All right. Well, if we don't have any other business to attend to today, I would like to ask for someone to move that we adjourn.

?: Moved.

Shirley Rooker: Been moved and seconded. So we are adjourned. Thank you so much for your attention.